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Executive Department
Austin May 19th 1846

To

His Excellency
J. P. Henderson

Sir

Your communication notifying me that you intended leaving the seat of Government this day, to take command of the Texian forces raised under the requisition of General Taylor, and move beyond the Rio Grande, has been received; in consequence of which I am called upon by you to assume the duties of the Chief Executive Officer of the State — upon which I enter, only to carry out the great intentions of the fundamental law of the land.

Permit me sir to assure you that it is my earnest desire for you to reap the glory that always awaits the soldier who battles in defence of his country.

With sentiments of the highest consideration for your safety I am

Very respectfully Your
Obt Servant

Executive Department
Austin May 19th 1846

Charles Mason Esqr

Sir

You are hereby appointed my private secretary and will enter upon the discharge of your duties accordingly.

Very respectfully
Your obedt servt

Executive Department
Austin June 20th 1846

Colonel W S Harney
Commanding at San Antonio

Sir

Your Communication of the 11th inst relative to the five Companies called for in your requisition of the 2d of May last, was not received by me until today in consequence of a temporary absence from the seat of Government; but I now have the satisfaction to inform you that Colonels Bourland and Young are now at this place with four Companies numbering from sixty five, to seventy men each, where they are necessarily compelled to tarry for a few days to recruit their horses and have them shod; though will be able to report to you at San Antonio, in the course of eight days: The fifth Company is hourly looked for

Respectfully your
Obt Servt

Executive Department
Austin June 20th 1846

Col W S Harney
Comm'g at San Antonio

Sir

Since writing today the enclosed petitions from Citizens of Dallas, and Collin Counties have been received; should you feel authorized to make a requisition, for a sufficient force to protect the Citizens alluded to, you no doubt will confer a great benefit upon that exposed frontier.

With your answer please return the petitions

Very respectfully your
Obt servant

Executive Department
Austin June 22d 1844

Captain D. C. Ogden

Sir

You are hereby appointed *acting* Adjutant General of the Militia, during the absence of Colonel Wm G Cooke the present incumbent; and will forthwith enter upon the discharge of your duties accordingly

Very Respectfully
Your obt Servant

Executive Department
Austin Texas June 22d 1844

Hon R. J. Walker
Secretary of the Treasury

Sir

Your communication of the 9th of May last has been received, and referred to the Comptroller, who informs me that it will be out of his power to fully comply with its requirements until the Assessors of Taxes for the several Counties make their returns; as instructions will have to be issued to them by that Office as to enable him as near as practicable to compute a report of the various productions &c of this State I respectfully recommend it as the best mode of arriving at the information solicited, for the collection of which the necessary means will be used that it may reach you in time to be embodied as far as might be deemed proper in your next Annual report

I have the honor to be very respectfully
Your Obt Servant

Executive Department
Austin June 23d 1846

Col Thos Wm Ward
Com Genl Land Office

Sir

I have the honor to apprise you of the appointment on the 22d inst, of Captain D. C. Ogden acting Adjutant General of the militia during the absence of Col Wm G Cooke the present incumbent

Very respectfully your
Obt Servt

x Same to Comptroller &
Treasurer

Executive Department
Austin Texas June 23 d 1846

Hon. Wm L. Marcy
Secretary of War

Sir

Your Communication of the 16th May last was duly received, but a temporary absence from the seat of Government will account for my not having answered it until the present time.

You no doubt ere this have been officially informed by General Taylor of his requisition on this State for four regiments of volunteers - Riflemen - two mounted, and two of foot, to serve for the term of six months unless sooner discharged - also of the requisition of Bvt Colonel W S. Harney commanding at San Antonio for seven companies for the protection of the Southwestern frontier - making an aggregate of about three thousand men - those required by Genl Taylor from every information, are now mustered into service at head quarters of the army - the latter have reported to the adjutant General of the State and will, in a few days to Col Harney to be mustered into service and for orders.

While the Executive of the State feels, of the promptness with which any call made on her militia would be unhesitatingly responded to, the sparseness of our population, the exposed condition of our extensive line of frontier, together with the recent petition from [illegible] for two Companies of

[illegible]

mounted men for their expeditions in consequence of some hostile demonstrations having been made, notwithstanding the treaty recently made by the Commissioners of the United States, obliges me to request that the requisition be made upon some other State or States.

Although there is no immediate apprehension, we are alike exposed to the attacks of marauding bands of Mexicans, and disaffected prairie Indians.

Your request relative to the organization of Companies, Regiments &c has been attended to by publishing and shall be strictly observed.

I have the honor to be very Respectfully
Your Obt Servant

Executive Department
Austin June 23d 1846

Sir

On the receipt of your letter requesting the appointment of some individual to raise a foot Company in Crockett, His Excellency J Pinckney Henderson had left to take command of the Texian forces called for by General Taylor; consequently the duties of the Executive devolve upon me – Your request would have been attended to immediately but for my temporary absence to the lower Country

It is to be regretted that the requisite number of foot troops cannot be raised, yet it is supposed that the full complement was tendered as mounted men – Should you feel disposed to raise a company as proposed, another requisition for troops having been made by the Secretary of War, you are authorized to do so, and after electing the Officers report the result with a muster roll to Adjt General of the State, you will proceed with as little delay as possible to Galveston where you will be furnished with transportation to Point Isabel; your command will consist of not less than sixty nor more than eighty privates –

Very respectfully Yr
Obt Servt

P. B. Lewis Esqr
Crockett

Executive Department
Austin June 27th 1846

Colonel W S Harney
Comd at San Antonio

Sir

I am induced from having learned that Captain Cady's Company is ordered to march to San Antonio, to address you on the subject of the exposed condition of this place — You no doubt have good reasons to believe that an attack will be made on the City of San Antonio, yet should you permit me to advance an opinion, it would be, that while a feint demonstration would prepare you for an emergency at that point, the blow might be effectually struck against Austin; being situated immediately on the frontier at the foot of the mountains any number of light troops could approach it through the defiles without even being observed.

The loss of the Archives would of course be irreparable, and ruinous to the State, and to insure their protection (an additional requisition for "one regiment of mounted men, and a battalion of foot rifles or Infantry" being made by the Hon Secretary of War), I respectfully request that you make a requisition for one Company of Rangers, to be stationed at, and for the protection of this place — Should you concur with me, the men can be immediately raised — please answer and designate some officer to muster them into service, I think it should be done without delay

Very respectfully your
obt Servant

Executive Department
Austin July 2d 1846

Capt Shapley P. Ross

Sir

You are hereby appointed Captain of Volunteers and authorized to raise a Company of mounted men [illegible] who will be armed and equipped at their own [illegible] and stationed at or near Bryants fort on little river, where they will be mustered into the service of the United States, for the term of six months, unless sooner discharged —

You will be governed in the organization of your Command by the accompanying letter of instructions from Colonel W. S. Harney to this Department and report to the Adjutant General at this place (when your commissions will be forwarded) with a muster roll, and to Col. Harney at San Antonio. —

When Complete the Command will consist of five Companies to be Commanded by a Major — Your first Lieutenant will act as Assistant Quarter Master and Commissary, who you will instruct to be Careful to give lawful vouchers approved by yourself, that there may be no difficulty in the Claimants settling their accounts at the proper departments — It is desired by the Executive with a full assurance that there will be no delay in bringing your Company into the field.

Very respectfully yours
[illegible]

Same to Capt John J Grumbles
at Austin

Executive Department
Austin July 2d 1844

Capt Thos I. Smith

Sir

You are hereby appointed Captain of Volunteers and authorized to raise a Company of mounted men to be well armed and equipped at their own expense, to be stationed at or near the three forks of the Trinity river (however you can best judge the point where you would be most useful) to serve for the term of six months unless sooner discharged —

You will be governed in the organization, by the accompanying letter of instructions from Colonel Harney, and as soon as practicable proceed to the "Falls of the Brazos" and report to the Adjutant General at this place with a muster roll, and to Colonel Harney at San Antonio, designating the station you may choose — where you will be mustered into the service of the United

States

[illegible] no longer delayed.

The [illegible] [illegible] [illegible] with the Staff of a Major, [illegible] Company [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible], that the Claimants may have no difficulty in arranging and settling their accounts.

It is desired by the President with full confidence, that there will be no delay in bringing your Company into the field [illegible] at a different point under the Command of a United States Officer.

Very respectfully your [illegible]

[illegible]

Issued to Capt. Andrew [illegible]
on petition of [illegible] Counties

War Department
Austin [illegible] 1846

[illegible]
[illegible]

Gentlemen

[illegible]

[illegible]

[illegible]

10

Executive Department
Austin July 8th 1876

[illegible]

Hon. [illegible]
[illegible]

Sirs

Your communication of the [illegible] [illegible]

The original communication [illegible] [illegible] copies [illegible] in this office [illegible] [illegible] as Governor of this State [illegible]

I readily accept the proposition of the Hon. [illegible] of the State of Texas [illegible] [illegible]

I have the honor to be
Very respectfully your obt servant

Executive Department
Austin Texas July 8th 1876

Hon. [illegible]
[illegible]

Gentlemen

I have just received a communication from the Hon. [illegible] accompanied by copies of [illegible] [illegible] late Republic of Texas. [illegible] [illegible] [illegible] [illegible] [illegible] sent from the State [illegible] Government of the [illegible], beyond the [illegible] [illegible] [illegible] of the [illegible] [illegible] [illegible], [illegible] [illegible] the [illegible] of [illegible] [illegible] [illegible] [illegible] the part of the State of Texas the proposition of the [illegible] of [illegible] relative to these arms, and will be [illegible] in notifying him designate some suitable person at [illegible] to receive them. A similar communication has been made to [illegible] [illegible] [illegible] Hall as also to [illegible] [illegible]

There is no later intelligence from the Army [illegible] [illegible] [illegible] [illegible] [illegible] by the Honorable John Caldwell, [illegible] Goldsmith, [illegible] [illegible], [illegible] [illegible] Kaufman and Timothy Pilsbury, all of whom [illegible] [illegible]. I will at all times be happy to hear from [illegible]... After my best wishes [illegible] [illegible] [illegible] [illegible]

Very respectfully your [illegible]

Ordnance Department
Austin Texas July 17th 1846

[illegible] [illegible] [illegible]
in charge of Austin Arsenal

Sir

[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] of [illegible] [illegible] [illegible] [illegible] pieces of Artillery [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] in commemoration of [illegible] anniversary of [illegible] [illegible] of the United States

Very respectfully
Your [illegible] [illegible]

Executive Department
Austin July 8th 1846

Hon John W. Harris
Attorney General

Sir

I had the honor of writing to you from Matagorda by the hands of Mr Jones – not having received an answer I again address you on the same subject. Mr Jas H. Cocke in a letter to Mr Shaw mentioned that you were engaged officially in the transaction of business for the State – As soon as you conveniently can, after its conclusion it is earnestly desired by the Executive that you proceed to the seat of Government – This request is made from the fact that the legislature passed several laws that admits of various constructions and none other than yourself authorized to define their true intent

Very respectfully your
Obt Servant

Executive Department
Austin July 9th 1846

James H. Bourland
Lt Col Mounted Riflemen San Antonio

Sir

Your communication of the 5th inst was duly received, but owing to my indisposition Mr [illegible] the bearer has been detained until to-day. I transmit the Commissions for Colonel [illegible] and Major – [illegible] San Antonio [illegible] of them [illegible]

I [illegible] in [illegible] of the "Texas Democrat" [illegible] you will please [illegible]

respects to Col Young, and the other officers of the Command
Your Obt Servant

Executive Department
Austin July 10th 1849

W S Harney
Brvt Col Commanding At San Antonio

Sir

Your Communication of the 6th inst came to hand yesterday at 4 O'Clk P.M.

In reply to the later portion of your communication calling for information— the number of troops raised for the stations at San Antonio and Castroville— Capt John J Grumbles informed me this morning that he had thirty two men enrolled for the station at San Antonio and had no doubt of being able to fill his requisition by Tuesday next—

The other Captains appointed for the stations east of this place I have not had the pleasure of hearing from, for reasons I hope to be able to state to you in person I have not appointed any person to raise a Company to be stationed at Castroville— I will make the appointment immediately after my arrival at San Antonio, which place I expect to leave for in two days

I am Sir Very respectfully
Your Obt Servant

Executive Department
San Antonio July 17 1849

John H. Rollins Esq
Sir

Your

You are hereby authorized to raise a ranging Company of mounted men to consist of fifty privates, to be stationed at or near Castroville, each man to furnish his own horse and equipments — Immediately on raising your Company you will report to the Commanding Officer at this post, and to the Adjutant General at Austin forwarding a muster roll to each. You will be entitled to the following number of officers — Commissioned — two Lieutenants — non Commissioned — four Sergeants and four Corporals, Notwithstanding you are intended for the Ranging service you may be called into any other subject to the Commanding Officer —

Immediately after making your report to the Adjutant General at Austin your commissions will be forwarded — you will take care to make monthly reports to the Commanding Officer — on my arrival at Austin I will forward you general instructions, with them Col Harney's letter to me by which you will be governed. Your Company will be mustered into the service of the United States for the term of six months, unless sooner discharged.

Very respectfully your
Obt Servant

Executive Department
Austin July 21st 1846

John M Swisher Esq

Sir

You are desired to take charge of the Office &c of the Secretary of State, as Clerk until the return of the Hon David G Burnett, or, such time as he may be heard from

Very respectfully your
Obt Servant

Executive Department
Austin Texas July 23d 1846

Col. W. S. Harney
Commanding at San Antonio

Sir

Captain Grumbles desires in consequence of the continued wet weather that you supply his command with tents, he is under the impression that there is none in the Commissary Store at this place, should there not be, it will be satisfactory to receive them after his arrival at San Antonio — he also desires to whether or not subsistence will be furnished him out of the Commissary store untill he departs for that place, his company is near complete at this time — Should you desire it, before your departure, Captain Grumbles will visit you immediately

I respectfully request that a team be furnished the company for transportation —

Captain Grumbles further desires instructions — whether or not Mexican traders be permitted to visit that place? which will be fully obeyed —

The Companies of Captains Rigs and Smith, are now complete, and ready to be mustered into service at the places designated in your requisition, of which I received verbal information —

Please let me know the result of the difficulty in regard to the command

Very Respectfully
Your obt Servant

Executive Department
Austin July 25th 1846

Capt Thos I Smith
Falls of the Brazos

Sir

I have just [illegible] [illegible] [illegible] buildings [illegible] having [illegible] [illegible] to [illegible] your Company for the protection of this frontier upon which you are destined to act.

It is with surprise I learn through the [illegible] that Indians have visited your settlements in an apparently hostile manner, and as we alone can act under existing circumstances advantageously by carrying out as far as lies in our power the late treaty entered into between the United States Commissioners, and the various border tribes — I hope you will use every caution in your operations and not molest others than those that would not partake of the benefits intended to be conferred through such negociation — you, of course will feel authorized to seize any horses, or other property found in the possession of such tribes (stolen) and hold it subject to the order or call of the owners, peaceably if you can, forcibly if you must.

I desire that you keep up communication at least once in two weeks between the post on the Trinity, and Little River, so that there will be a regular line of correspondence from fort Wichita, and the rio grande which is all desirable.

Although not having the pleasure of a personal acquaintance with you, your reputation in a military capacity is a sufficient guaranty, that every thing will be done to carry out the ends intended by the creation of your corps, and I with pleasure confide in you the trust, that your acquaintance with the frontier generally and the Indian character so justly entitles you to —

I will always be pleased to hear of your operations

Very respectfully your
obt servant

Executive Department
Austin July 25th 1846

Capt. [illegible]
Sir

It is desirable that your [illegible] at
the

the falls of the Brazos the point at which you will be mustered into service at farthest by the second day of August proximo.
Not having heard from you, nor knowing of your success in raising a Company it is hoped you will acquaint me on the receipt of this, that Col Harney may be advised.
Captain Thos I Smiths Company is already complete, and will be mustered in at the same time and place – I will always be pleased to hear of your operations, as well as other matters the least interesting

Very respectfully your
Obt Servant

Executive Department
City of Austin July 29th 1846

To Thos H. Duval Esq

Sir

The Private Secretary of the Executive of this State left here yesterday on a visit to Gonzales – It is necessary that a temporary appointment should be made during his absence, and I now tender the same to you

Yours, Very respectfully

Executive Department
Austin July 28th 1846

Sir

Your letter of the 11th instant, soliciting the appointment of Commissioner of Deeds for the District of Columbia has been received together with the accompanying recommendation of the Senators and Representatives from States in Congress.

It would give me pleasure to comply with your request, but I do not feel myself at liberty to do so, since an application for the same Office prior to yours in date, on the part of Mr L. Selding of Washington, has been received, sustained by the recommendation of some of the most respectable Citizens of Washington, as well as that of our Senators, and a Commission has accordingly been sent to him

I am very respectfully
Your obt Servt

Geo. W. Philips Esqr
Washington City

Executive Department
Austin Texas July 25th 1846

Hon Geo Bancroft
Secretary of the Navy

Sir

I have the honor to enclose herewith a copy of a communication, which I have this day received from the Comptroller of this State, relative to the expenses, of the Navy of the late Republic of Texas, since the same became the property of the United States up to the time of its delivery, and also the account accompanying the same.

I unite with the Comptroller, in recommending the mode suggested in his letter for the payment of the same

I have the honor to be
Very respectfully
Your Obt Servt

Executive Department
Austin July 28th 1846

John Witham Esqr
Crockett

Sir

In answer to your letter of the 20th inst. I have to state that the requisitions made upon this State for volunteers have all been filled, and I think it extremely doubtful under the circumstances, whether your Company would be now received into the service of the United States by General Taylor

Very respectfully yours

Executive Department
Austin Texas, July 28th 1848

Charles P Carter Esqr
Baltimore Md

Sir

Your letter of the 18th ult. requesting the appointment of Commissioner of deeds together with the accompanying recommendations were duly received.

It would have given me great pleasure to comply with your request, but the appointment of another person residing in your City had already been made

Very respectfully yours

Executive Department
[illegible]

Henry H. Elliott Esq
Sir

Your first communication [illegible] in which you wrote to me relating to the appointment of a Commissioner of Deeds for the City of Philadelphia was received [illegible] during my absence from the State, and by [illegible] I was [illegible] informed that I had already made an appointment of Commissioner for the City of Phila and doubted the propriety of making another.

Since the receipt of your letter of the [illegible] inst. I have examined the law relating to the appointment of Commissioners, and find that two may be appointed for the same place, I therefore comply most cheerfully with your request, and shall transmit by this mail a Commission to Mr. Henshaw.

Allow me to express to yourself and to my friends through you, my grateful acknowledgments for the complimentary manner in which my administration of public affairs is spoken of, and for your kind wishes for my future political advancement. I assure you however, that I have no desire of the kind alluded to in your letter. For the last thirteen years I have been in some public capacity, [illegible] the [illegible] pleasures of private life, and have always found the former to weigh most in the scale. My highest ambition is to return to my plantation, make good crops, and enjoy domestic happiness and tranquility with my family.

I am very truly

P.S.
Please present my kindest regards to [illegible]
[illegible]

Executive Department
Austin July [illegible] 1846

Sir

In reply to your favour of the [illegible] ultimo, I have the honor to state that the only appointments made by me of Surgeons, are those of [illegible] [illegible], and William E. Wilkinson; the first as Surgeon, and the latter as Assistant Surgeon of the Regiment of Mounted Rangers lately raised under a requisition made by General Taylor, and in the service at San Antonio under the command of Col. Harney.

I have no personal knowledge of the qualifications of these gentlemen, but they came to me with high recommendations as to their professional and moral character.

I have no means of ascertaining [illegible] what appointments have been made by [illegible] by me.

Owing to the exposed situation of our frontier, [illegible] [illegible] [illegible] [illegible], has made a requisition for [illegible] Companies which have been raised, and in which I have appointed Dr. J. [illegible] Surgeon, whom I [illegible] personally, and believe to be well qualified for the station.

I have the honor to be
Very respectfully
[illegible] [illegible] [illegible]

Hon. W. L. Marcy
Secretary of War

22

Executive Department
Austin July 29th 1846

Sir

Circumstances render it necessary that the Executive should have a complete list of all such persons as were declared defaulters, under the Government of the late Republic of Texas, and I have to request that you will furnish me with the desired information as soon as practicable

I am, very respectfully
Your Obt Servt

James B. Shaw Esqr
Comptroller

Executive Department
Austin July 31st 1846

Sir

I desire to call your attention to the 26th Section of the Article 3 "Legislative Department" of the Constitution of the State of Texas, and to ask whether, in your opinion, a person who had been declared a defaulter to the late Republic of Texas, can, under the provisions of the said Section legally hold any office of profit or trust, under this State?

I have also to request that you will take into consideration the enclosed communication from G. W. Crane Esqr and give me your opinion relative to the matter therein referred to and return the papers with your opinion thereon

Very respectfully your Obt Servt

Executive Department
Austin July 31 1849

Sir

In compliance with the request contained in your letter of the 27th inst, I have the honor herewith to transmit to you a copy of the requisition made upon me by Colonel Harney for five Companies of mounted rangers for the protection of the frontier

The position I have directed these Companies to occupy is as follows — One at or near Castroville, Commanded by Captain John H. Conner, one at or near San Antonio, Commanded by John J Grumbles, one at or near Benjamin Bryant's on Little River, commanded by Shapley P. Ross, one at or near Torrey's trading house on the Brazos, Commanded by Thos I. Smith, and one at or near the trading house at the west fork of the Trinity, commanded by Andrew Stapp —

Since the points of location (agreed) directed to be taken by these companies have been occupied, I have understood that the distance between the two commanded by Thos I Smith and Andrew Stapp, is much greater than I had supposed being upwards of one hundred miles. It will be impossible therefore, for the communication to be kept up between them, as promptly and rapidly as is desirable, and I would suggest to you the importance of having an additional company stationed midway between the two, so as to make the line of posts complete. A company is already organized and ready to take the position mentioned, under Capt. John N Bryan, of Dallas County, and I would respectfully request that you would authorize me to call them into service.

Unless this is done a large number of our frontier citizens, residing between the points referred to, will be left in a defenceless condition.

I have already directed the Captains of the different Companies to communicate with each other, once in every two weeks, and oftener if necessary. I do not think, owing to the distances between them, and other causes, that a more frequent communication would be practicable with any degree of regularity — Besides the protection which would thereby be afforded to the frontier, one of the objects in raising these companies, and stationing them at the points designated, was that a channel of communication might be kept up -

in between this State and the theatre of war, I have already invited Genl Taylor, [illegible] Colonel Harney, to avail themselves of the various Mail Routes, of forwarding whatever dispatches or communications they think proper, and I trust that you will avail yourself of the same facility, whenever it may be deemed necessary.

I will without delay instruct the Captains of the different Companies, to make reports every two weeks, or oftener if they can, containing the information which you desire in regard to their Scouts &c, and direct the same to be transmitted to you at San Antonio.

I am very respectfully
Your Obt Servt

Majr Thos T. Fauntleroy
San Antonio

Executive Department
Austin August 1st 1846

Sir

I have just rec'd your letter of the 29th ultimo, and am not a little surprised, to learn that the volunteers lately raised under the requisition made upon me by Colonel Harney will not be received into the service. I had a letter prepared on yesterday to send by the mail, to you in answer to yours of the 20th ultimo, but the mail had closed before it could be deposited in the office. It will be handed to you however, by Captain Cunningham, the bearer of this communication.

You will find enclosed therein a copy of the requisition made upon me by Colonel Harney, who, equally with myself was convinced of the importance of raising these Companies and stationing them at suitable points, in order to afford adequate protection [illegible]. In my estimation this necessity [illegible]. I can not perceive [illegible] [illegible], to San Antonio, [illegible]

[illegible]

thickly settled portions of the State, could be of any protection to the exterior settlements lying on the line of the frontier. In relation to the order which you mention having received from head quarters "requiring all troops hereafter called for, to be mustered in for no less a period than twelve months" I have only to observe that the five companies now waiting to be mustered in, were called for by Colonel Harney, on the 26th June last, and the order referred to cannot be supposed to embrace them

It is my decided opinion that if these Volunteers are disbanded it will be the signal for the Indians to commence depredations upon the frontier, and that these will lead to a collision which may be productive of the most disastrous consequences. Besides this consideration which, I doubt not, will be properly estimated by you, I would respectfully represent to you the injury, not say actual injustice which will be done the Volunteers themselves should they be at this time disbanded. Most of them have had to encounter great expense as well as trouble in purchasing horses, having them shod, furnishing themselves with suitable arms &c.

Dr Robertson whom I had appointed assistant Surgeon of the troops, had already sent to La Grange under the authority given by Col Harney for a stock of Medicines which he expects to receive in a few days, and the cost of which will not be less perhaps than one hundred dollars. Capt Thos I Smiths Company, and that of Capt Stepp will be at the falls of the Brazos, the first on the 2d and the latter on the 8th of the present month ready to be mustered into the service. To reach that point of rendezvous, the first will be compelled to march eighty, and the latter about one hundred miles

I cannot but hope that when you take every thing connected with the subject, into consideration, that you will at once withdraw the order for disbanding these Volunteers. They have responded promptly to the call made upon the Country, and I trust that you may permit them to be mustered into the service.

Under the hope and belief that you will think proper yet to receive them in the service of the government, I have written to the Captains of the different Companies, requesting them to hold themselves ready to be mustered in until I could hear further from you upon the subject, and communicate the result to them

I am very respectfully
Your Obt Servant

Major Thos T. Fauntleroy
Comdg at San Antonio

Executive Department
Austin, August 1st. 1846

Sir,

I herewith enclose to you a copy of the written opinion of the Attorney General of this State, in reply to the subject matter of your communication of yesterday, to whom the same was submitted by me for advisement.

My own opinion is, in all respects, conformable with that expressed by the Attorney General.

Very respectfully
Your Obt. Servt.
(Signed) A C Horton

G. B. Erath Esq

Executive Department
Austin August 1st. 1846

Sir,

I herewith enclose to you a copy of a communication which I have just received from Major Fauntleroy, at San Antonio, informing me that the five companies lately raised for the protection of this frontier, will not be required. I regret very much that Maj. Fauntleroy should have come to a conclusion, which will produce infinite embarrassment and inconvenience, not only to those composing the said Companies, but to our frontier Citizens generally.

I cannot but think, however, that he has given the order without being fully aware of all the facts and circumstances in relation to the requisition made upon me by Col. Harney, and without a full knowledge of the injustice, which will be done the Volunteers, should they be at this time disbanded.

I have therefore written by Capt Grumbles, who leaves here today for San Antonio, making a full representation to Maj. Fauntleroy of all the facts, which I deem material, and earnestly urging him to withdraw the order he has given. Capt Grumbles will return immediately from San Antonio to this place, without delay, and will doubtless bring with him an answer to my communication from Major Fauntleroy, the result of which you shall be promptly advised of. In the meantime I will request you to hold your Company in readiness for being mustered in, until you hear farther from me on the subject.

Very respectfully, Your obt. servt.
(Signed) A C Horton

Capt Chapley P. Ross.

Executive Department
Austin, August 3rd 1846

Sir,

Your letter, of the 15th of June last, has been received. That you and those in your neighbourhood, may not do me injustice, for the want of a proper understanding of the motives which influenced me in appointing Mr. Andrew Stapp, Captain of the Volunteer Company lately raised for the protection of your frontier, I beg leave to make the following statement.

The communication of the 8th June, signed by yourself and Messrs Conover & Durgin, as also the petition of certain citizens of Collin County, relative to said Company, were both handed to me by Capt Montague. As no name was mentioned to me in either of those communications, for the Captaincy (the blank left for that purpose in the Petition not having been filled up). I requested Capt Montague to give me the name of some suitable person — This he did, by filling up, in his own handwriting, the blank left in the petition, with the name of Andrew Stapp. I had no personal acquaintance with Mr Stapp, but as Capt Montague was the bearer of the Communications from you, I took it for granted that he would know who would be most agreeable to you all, for commanding Officer. When I commissioned Mr Stapp, therefore, it was with a perfect belief on my part, that he was, in all respects, qualified for the situation, and that the act would be entirely satisfactory to all concerned.

Had I been aware of the wishes of the Company, I can assure you that they would have been consulted by me, and that I would, without hesitation, have sent the commission to yourself.

It has been my practice, and will continue so to be, as long as I am acting as the Governor of this State, to bestow appointments in all cases (without some good reasons for a contrary course) upon the old citizens of the country — those who have endured hardships, and rendered services in past times, when our late Republic was struggling for an existence against all kind of difficulties. My not having done so in the present instance was owing altogether to a misapprehension of the wishes of the Company.

I have addressed a letter to Major Fauntleroy, the commanding Officer of this frontier, representing the necessity of having an additional Company called into the service, to be stationed between the Companies of Capts T. I. Smith & A. Stapp, and requesting that he would make a requisition on me for that purpose. Should he do so, it will afford me much pleasure to commission you to raise the same.

Very respectfully
Your obt. Servt.
(Signed) A. C. Horton

John N. Bryan Esq
Dallas Co.

Executive Department
Austin August 4th 1846

Sir,

Your letter of this date has been received, and the acceptance of your resignation, therein contained, as the member elect from the County of Goliad, in the Legislature of this State, is hereby acknowledged.

I am, very respectfully
Your obt. Servt.
(Signed) A C Horton

Col: Augustus Williams

Executive Department
Austin, August 7th 1846

Sir,

I have just understood that Major Fauntleroy, to whom I had written upon the subject, is still of opinion that he cannot, consistently with the orders lately received by him from Genl. Taylor, muster into the service of the United States the five companies lately raised for the protection of the frontier. He expresses his regret at this, and suggests the propriety of my writing to the Secretary of War upon the subject, and, in the meantime, of retaining the different Companies in service, until I can hear from Washington.

I wish to inform you, therefore, that I will forthwith write on to the Secy of War, and that I entertain no doubt, upon the representations which I will be able to make, that the Department will authorize the Companies to be received into the service of the U. States, at an early date. This is the opinion of Maj. Fauntleroy himself, and also of Capt Merrill, the officer who had been authorized to muster you in. In the meantime and until you hear farther from me, I wish you to occupy the position already designated, with your Company, and to keep them in active service, rendering to your portion of the frontier, all the security in your power.

You are hereby authorized to appoint your first or second Lieutenant, Quarter Master of the Company, who will provide the same with the necessary provisions &c — Should the Secy of War not allow the troops to be received into the service of the U. States (which I do not apprehend will be the case) I will make a requisition upon the State for the amount necessary to defray all the expenses attending the execution of this order.

Very respectfully
Your obt. Servt.
(Signed) A C Horton

Capt John J. Grumbly

Copies of the above sent to
Capts Conner, Smith &
Stapp & Ross ——

Austin August 9th 1846

Sir,

You will be particular in giving instructions to your Quarter Master to receipt for all requisitions made for the use of your company, which you will approve, sign & counter sign officially, and which I have no doubt will be paid by the General Government, if not, it will be paid by this State.

Very respectfully
Your obt. servt.
(Signed) A C Horton

To/ Capt Jno H. Conner
at Castroville

Executive Office
Austin August 13. 1846

Sir,

I have the honor to acknowledge the receipt of your letter of the 2nd inst, the contents of which have been particularly noted.

I will take an early opportunity, to address a letter upon the subject, to the President of the U. States, as you suggest, and hope it may have the good effect which you anticipate.

There is nothing of interest here, in the way of news.

Yours very respectfully
(Signed) A C Horton

Thomas Johnson Esq
Brenham

Executive Department
Austin August 17th 1846

Sir,

On the 23rd June last, an application was made to the Executive by Peter Burke Esq, accompanied with the recommendations of Messrs O. Fitz Allen, E.W. Cullen, Jas Perkins & David Learned, for the Office of Notary in San Augustine County. Inasmuch as Mr Burke appeared from his letter, to have moved very recently into this State, and as I had established for myself the rule to bestow Offices, in all cases, upon the old citizens of the country, where I believed them worthy and competent, I determined not to act upon Mr Burkes' application, until a sufficient time had elapsed to enable me to receive any other applications that might be made for the same Office from San Augustine Co.

I accordingly waited some four or five weeks after the reception of Mr Burke's letter, before I sent him a Commission, no other application having, in the meantime, been received by me. The very next mail which came in after Mr B's commission had been dispatched to him, brought me two petitions from citizens of San Augustine, under dates of the 25th & 27th July, one recommending Francis V. McKee, and the other James A. Chaffin Esq for the Office of Notary. Commissions have accordingly been sent to both of those gentlemen.

As your name appears to the first mentioned petition, I have taken the liberty of addressing this communication to you, with the request that you will make known to the gentlemen, who signed the forgoing recommendations, the reasons which induced me to delay so long the appointment of Mr Burke, and the circumstances under which it was made.

I am, very respectfully
Your Obt Servt
(Signed) A. C. Horton

R. W. Martin Esq
Dist. Clerk
San Augustine

Executive Department
Austin August 21. 1846

Sir,

From a communication, received at this Department, of the Hon: W. L. Marcy, Secretary of War, dated the 22nd July ulto, it is not to be doubted but your Company will be, as soon as practicable, mustered into the service of the United States.

I have forwarded to Genl Wool, commanding at San Antonio, a copy of the communication from the Secretary, and so soon as an answer is received, the result will be made known

a

you. In the interim, you will hold yourself and command in readiness, to be mustered into service at the shortest notice.

Very respectfully
Your obt. Servt.
(Signed) A. C. Horton

To. Capt. S. P. Ross
N.B. Copy of same sent to Capts.
Thos. I. Smith & Andrew Stapp

State of Texas
Executive Department
Austin August 21. 1846

Sir,

At the instance of the parties concerned I have the honor to transmit your Excellency, the copy of an act with a supplement, incorporating the "North Western Mining Company", the object of which, on their part, is to prevent any collision, possible to occur, with the Federal Government — And that they may be sustained in their acquired and existing rights under the laws of this State — How far the compliance with their desires may tend to sustain their interests in said Charter, is not considered by the Executive of this State, but done for their satisfaction alone.

Very respectfully
Your obt. Servt.
(Signed) A. C. Horton.

To, His Excellency
James K. Polk
Presdt. U. States.

Executive Department
Austin August 21. 1846

Sir

In compliance with your request, as the organ of the "North Western Mining Company", I have addressed the President of the U. States, on the subject alluded to in your communication, and interests of the parties concerned; but without advancing any opinion how far the compliance may tend to promote them — And have enclosed a copy of the Act of incorporation and supplement.

Very respectfully
Your obt. Servt.
(Signed) A. C. Horton

Col.
J. H. Wheelock
[illegible]ville
Illinois

Executive Department
Austin August 22nd 1846

Sir,

As several questions have arisen, and will probably hereafter arise, under the law and the Constitution, I must request your opinion in relation to them.

Suppose any Judge of Law or Equity, the Secretary of State, Attorney General, Clerk of any Court of Record, Sheriff or Collector &c, were elected to the Legislature, and were to take his oath accordingly: Would this vacate his previous Office?

Can a Senator or Representative resign his seat in the Legislature, and accept a civil Office of profit, which may have been created, during the term for which he was elected?

Are the Clerkships in the General Land Office civil offices of profit?

Suppose a member of Congress, or person holding or exercising an office of profit or trust under the United States, or either of them, or under any foreign power, should be elected to the Legislature, or should be elected to any other office of profit or trust under this State, and he were to take the oath of office accordingly, would he thereby vacate his previous office? or could he accept such second office?

Suppose a person holding a civil office of emolument under this State, were to accept under the State a second civil office of emolument, what would be the effect of such acceptance?

Very respectfully
Your Obt. Servt.
(Signed) A C Horton

To/ Hon: John W. Harris
Austin, Texas

By the Governor of the State of Texas

Proclamation

Whereas, the Legislature of the State of Texas by an act approved on the 11th day of May 1846, provides for the election of members to the Congress of the United States: &c

Therefore, Be it known, that I Albert C. Horton, Governor of the State aforesaid, do order and direct the Chief Justices, or in their absence any two of the County Commissioners of the several Counties composing the first and Second Congressional Districts, to severally hold an election on the

the established precincts in their Counties for a Representative from their respective Districts to the 30th Congress of the United States: Said elections to be holden on Monday the 2nd day of November 1846 and conducted in conformity with the Constitution of the State and the existing laws regulating elections.

It is further ordered and directed, that the Chief Justices of the several Counties, or in case of vacancy in their Offices, the County Commissioners, be required promptly to make duplicate sealed returns of the elections, one of which shall be transmitted to the Office of Secretary of State, endorsed "Election Returns of County for Representative to the Congress of the United States", and the other deposited in the Clerk's Office of the County Court.

It is also further ordered and directed that if the Chief Justices or County Commissioners fail to hold the elections aforesaid, then the people of the precincts where such failure exists, are authorized to choose Managers, Judges & other Officers to conduct said election according to law, and make returns of the same.

L.S.

In testimony whereof I have caused the Seal of State to be affixed — Done at the City of Austin this 22d day of September A.D. One thousand Eight Hundred and forty six.

(Signed) A C Horton

By the Governor
Jno M. Swisher
Acting Secy of State

Executive Department
Austin Oct 8th 1846

Captn Thos I. Smith
Sir,

On my return last evening from Matagorda, I found the communication (of which the enclosed is a copy) from the Adjutant General, reiterating the order of the Secretary of War which required your Company, with the other force raised under the requisition of Col. Harney, to be mustered into the service of the United States.

You may be assured that I shall not cease until the orders of the General Government are complied with, and all the lawful necessary expenses of your command, for services, subsistence &c, are liquidated.

This you can communicate to such Citizens as have already or may hereafter furnish you with supplies. It is therefore earnestly desired by me that you keep your Company in constant readiness to be mustered in the time and place designated for which you will be informed as soon as I am notified by the mustering officer.

Yours respectfully
Your obt. Servt
(Signed) A C Horton

3d Same to Captn
Andrew Stith

Executive Dep't
Austin Oct. 13th '46

Lt Hill
Sir,

You will detach yourself with from twenty five to thirty men, and proceed to, and station yourself on, Shoal Creek, not less than four nor more than six miles from this place. As the object of this service is to ensure a more certain and ample protection to the citizens of this section of the frontier, you will not cease to be vigilant, and energetic in the discharge of duties assigned you.

Respectfully, Your Obt. Servt.
(Signed) A. C. Horton.

(Capt Grumbles Co)

Executive Department
Austin Oct. 13th 1846

Jno. M. Swisher Esq
Clk State Dept & Actg Secy
Sir,

You will turn over to Colonel Thos. Wm. Ward, Comr. of the Genl. Land Office, all papers or records, that you may find in your Office, in any way connected with, and properly belonging to the Genl. Land Office. viz, Spanish Documents from the County Surveyor at San Antonio &c &c.

Very respectfully,
Your obt. Servt
(Signed) A. C. Horton

Executive Department
Austin Oct. 14th 1846

To/
The Chief Justice
of Harris County
Sir:

As applications are being made by citizens of your county for appointments as Notaries Public, but in consequence of its appearing on the Records of the Office of the Secretary of State, that but one vacancy exists in that county, I respectfully request that you furnish the Executive with a list of such as have complied with the law, and entered upon the discharge of their duties.

Your obt. Servt.
(Signed) A. C. Horton

Executive Department
Austin October 9th 1846

Sir,

I have been in hopes it would be in my power to inform you, that your Company would be soon received into the service of the United States, but up to this present moment, I am without any instructions to that effect.

That you will, however, be ultimately mustered in, I have not a doubt — I will, this evening address a letter to the President of the United States, which, I think, will remove all the difficulties now existing, and ensure your reception into the service.

In the meantime, I wish you to keep your Company in active service, rendering all the protection in your power, to your portion of the frontier. Whatever may be the result of my application to the President, you may rest assured that your Company will receive the amount of pay to which they may be entitled, for services rendered under my orders.

I have now a communication of the Secretary of War, which justifies me in making the above assertions.

Respectfully
Your Obt. Servt.
(Signed) A C Horton

To: Capt Andrew Stapp —
☞ Same to Capt T. I. Smith

Proclamation.

Executive Department
State of Texas.

To all to whom these presents shall come — Greeting: —

Whereas, information has been received by the Executive that a treaty of peace, has been entered into between Messr's Butler & Lewis, Commissioners on the part of the United States, and the following tribes, of Indians, Viz; Comanches, Witchetaws, Tow-e-ash, Wacoes, Keichies, Caddoes, Lipans, Tonkeways, and their associate bands; in consequence of which a delegation of said tribes, are now in progress for Washington City, having in view a definite adjustment of a boundary line between those several tribes, and settlements — And Whereas, it is considered of vital importance to the peace of our frontier, that no collision should take place between our citizens and any of said tribes:

Now, therefore, I, Albert C. Horton, Governor, pro tempore, do earnestly request and recommend to all good citizens Surveyors and others, that they abstain from trespassing on the lands, that are debatable — that is, all the territory above and bordering on our [illegible]

settle

Settlements, until some definite action of the Federal Government shall be known in the premises.

In witness whereof I have hereunto set my hand and caused the Seal of State to be affixed — Done at the City of Austin, this 1st day of June A D 1846.

L. S.

(Signed) A C Horton

By the Governor
Joseph Waples
Clerk & Acting Secy of State

Proclamation by the Governor of the State of Texas:

Whereas, satisfactory evidence has been received by the Executive that a certain Buck Files (alias James Buck) did on the thirteenth day of April last, murder a certain Thomas L. Whitehead, in the County of Harrison, in this State, and is now a fugitive from justice:

Therefore, be it known, that I, Albert C. Horton Governor of the State aforesaid, in virtue of the power vested in me by law, do by these presents offer a reward of Two Hundred Dollars to any person or persons who may apprehend and deliver the said Buck Files, alias James Buck, to the Sheriff of said County of Harrison, in order that the said fugitive may be dealt with according to Law.

In testimony whereof I have caused the Seal of State to be affixed — Done at the City of Austin this 8th day of October A D 1846.

L. S.

(Signed) A C Horton

By the Governor

Act'g Secy of State.

Executive Department
Austin July 10. 1846

Sir,

Your communication of to day has been received — In answer to the enquiry relative to my construction of the 1st Section 3rd Article of the State Constitution, I unhesitatingly give it as my opinion that the Section alluded to, was only intended to operate upon soldiers regularly enlisted in the Army of the United States, and the Seamen and Marines of the Navy, and not in any way to disfranchise the citizen soldier, temporarily called in to the service of the General Government.

Very respectfully
Your obt Servt
(Signed) A C Horton

Hon: Jo. M. Long
Austin

Copy of evidence upon which the Account of Major Thomas G. Western was approved. —— July 11th 1846.

Amount $102.00

Austin April 18. 1846

Received of Major Thomas G. Western, late Superintendant of Indian Affairs of the Republic of Texas, the Books, papers, Stationery and Office furniture, in his possession, belonging to the Said Bureau.

(Signed) Charles Mariner
Actg Secy of State

This is to certify that I was Chairman of the Committee before whom was referred the Genl. Appn. Bill for the support of the Government for the years 1846 & '47, and that I drew up and submitted to the Committee the 2nd Section; and that the names of the different Officers of the late Republic, entitled to pay, were all called over, and among them was Majr. Thos G. Western — It was unanimously agreed upon in Committee that all should receive pay. The amount was left blank, to be filled up when the bill should be reported, which was done, myself and others explaining the object of the appropriation.

I feel positive in stating, that Majr. Western is included in the appn., and that he is entitled to pay for the time that he was actually in service, which will be seen by the order of His Excell'y, the Governor, releiving him from his "duties & responsibilities."

Austin 9th July 1846.

(Signed) D C. Ogden

Executive Department
Austin October 20th 1846

Sir,

The office of Private Secretary in this Department, having become vacant by the resignation of the late incumbent, Mr. Mason, the same is hereby tendered to you.

Yours respectfully
To, Thos. H. Duval Esq (Signed) A C Horton

Executive Department
Austin Oct 20th 1846

Sir,

The public interest and convenience frequently renders it necessary, that access should be had to the Records of the late Auditor's Office.

As you formerly filled that Office, and are well acquainted with all its affairs and business, I hereby deliver to you the Key of the same, to be held subject to the order of the Executive, and request that you will furnish to all applicants, whatever information they may desire, which can be obtained by reference to the Books, papers &c, of said Office.

Very respectfully
Your obt. servt.
(Signed) A C Horton

To,
Charles Mason Esqr
Austin

Executive Department
Austin Oct 30th 1846

Sir,

I have received your communication of the 14th July last, transmitting therewith an Invoice of Arms & appendages shipped to the Executive of this State, care of Capt. Ben. Owen Payne, Galveston, together with triplicate receipts, which you request me to sign and return to you on the arrival of the stores.

As Capt. Payne has, without any authority from the Executive of the State, issued a portion of said arms to certain volunteer Companies in the Service of the United States, I do not feel myself authorized to sign the said receipts.

I respectfully refer you to my letter to him upon this subject, a copy of which you will find written upon the foregoing sheet.

I am, Very respectfully
Your obt. Servt.
(Signed) A C Horton

Lieut. A H. Dearborn
Frankford Arsenal
Pa

Executive Department
Austin October 30th 1846

Sir,

I have received your letter of the 12th August last, advising me that certain arms due to the State of Texas, under the law of Congress of April 23d 1808, were ordered to be shipped to Galveston to the care of Capt B. Owen Payne, who was directed to hold them subject to the order of the Executive of the State.

The arms were subsequently received by Capt. Payne, but he has thought proper (without any authority that I am aware of) to issue a portion of the same to three companies of Texas Volunteers in the Service of the United States, and sending for my signature, receipts for the same. These I have declined signing, as also the triplicate receipts for the whole amount sent by Lieut. Dearborn, of the Frankford Arsenal.

I respectfully refer you to my letter to Capt Payne on this subject, a copy of which you will find on the foregoing sheet.

Very respectfully
Your obt. Servt.
(Signed) A C Horton

Col. G. Talcott
Ordnance Office Washington

Executive Department
Austin October 30th 1846

Sir,

Your communication of the 3rd August, enclosing Invoice of Ordnance stores sent by the Government of the U. States to this State, together with receipts in triplicate to be signed by the Executive, have been forwarded to me by Genl. Henderson, to whom they were addressed at Matamoros. I have also received your favor of the 1st August, enclosing triplicate receipts for 161 rifles, and their accoutrements, issued by you to three companies of Texas Volunteers, under the command of Capts McClarty, Shivers & Wood, upon requisitions made by them, which you request me to sign officially, and return to you at Galveston.

The Act of Congress, approved April 23d 1808, "making provision for arming and equipping the whole body of the Militia of the U. States", contemplated that the arms so furnished, should be distributed by each State to the Militia thereof, under such rules and regulations as should be prescribed by law, by the Legislature of each State. The arms in question had not been turned over to any one appointed to receive them, on behalf of the State, nor had any distribution of them to the militia of the State been ordered by the proper authority. I cannot, therefore, sanction your distribution (made without authority) of a portion of said arms to the three companies above mentioned, who were then in the service of the United States, and to whom, I presume, the Genl. Government, and not this State, was bound to furnish arms, nor do I feel myself authorized to sign the receipts sent by you.

I will, at an early day, authorize some one in Galveston to receive, on behalf of the State, the balance of the arms in your charge, of which you shall be duly informed, and will sign the necessary receipts for the same, as soon as I am advised of the transfer.

Very respectfully
Your obt. Servt.
(Signed) A C. Horton

Capt Bm. Owen Payne
Agent U.S. Ordnance Depot
Galveston

Executive Department
Austin Nov. 2nd 1846

Dear Sir,

I have received your letter from Seguin, under date of the 27th ult, and fully appreciate the complaints therein contained. A proper representation of the facts shall be made to the Secy of War, at Washington city, as soon as I can get the Companies of Capts Slapp & Smith, mustered into the service. These two Companies form a part of the original requisition made upon me by Col. Harney, on the 26th June last, but their reception into the service has been delayed up to this time, by the commanding officers at San Antonio, upon one

frivolous

pretext or another — I have written to the Secy of War upon the subject, and hope, in a month from this time, to receive a communication which will enable me to have them mustered in without further delay. When this is done, the battalion will then be complete, and you will then be entitled, under the law, to elect your own Field officer.

To enable me to meet your wishes, as well as my own, it is first necessary, therefore, that I should secure the reception into the Service of those two Companies. When this is effected, I will take early measures to correct the evils of which you so justly complain. By the next mail I will write to the Secy of War in relation to your former Company having been mustered out, without being allowed its full quota of officers — The same was done with regard to Capt Highsmith's Company. I hope I shall be able to have justice done to you both.

I am, very truly, yours
(Signed) A C Horton

Capt A E. McCulloch

Executive Department
Austin November 4th 1846

Dear Sir,

Jim Shaw seems to be unwilling to continue his services, unless his regularly mustered into Capt Grumbles' Company — Without this is done, he thinks there is no certainty, either as to his obtaining pay, or being employed for any definite time.

The services of this Indian, I regard as extremely important to us, and I am not willing to lose them, by not complying with his request in this matter. His intimate acquaintance with the Country, and the various Indian tribes, enables him to obtain and give information, with regard to their movements, &c, which otherwise, we could not be possessed of — Indeed, we cannot do without him, and I would be greatly obliged if you would come over and satisfy his wishes, by mustering him into the Service. He is at present on a scout with a portion of Capt Grumbles' Company, on the other side of the river. I have understood from good authority that seven tribes had congregated upon Pecan Bayou, and as soon as Jim Shaw returns, which will be in a few days, I want to send him up there and ascertain what their objects are.

Capt Grumbles is now preparing a Camp for a part of his Company some 12 or 15 miles above here, on this side of the river. Owing to the nature of the Country on the other side of the river, it would have been extremely troublesome and difficult to have transported supplies to any position there — Besides, the grass upon that side, as I have been informed, has been entirely burned off — Scouts, however, will be

Kept

up all the time on the other side of the river. I deem it proper to state that Jim Shaw has been provided with a fine horse, at the cost of $100, and is now prepared to act in the most efficient manner.
Hoping that you will regard his services as important as I do myself, I will conclude by repeating that I shall be greatly gratified if you can come over at once, and muster him in.

Capt. Howe
Comd.
San Antonio

Very respectfully
Your obt. Servt.
(Signed) A. C. Horton

P.S. I understand a white man was killed by the Indians a few days since between this & the San Marcos, and from all that I can learn, I think they are meditating some mischief —
I forgot to mention that the distance from here to Capt Grumbles' Camp is so great, and the road so difficult, that the four or six days allowance of forage, which I believe Col. Grooms is only authorized to issue at one time, will produce great inconvenience, from the necessity of such frequent transportation. I would be glad, therefore, if Col. G. was authorized to issue to this Company, at each time, forage &c sufficient to last for two weeks.

A. C. H.

Executive Department
Austin November 7th 1846

Dear Sir,

You are hereby authorized to raise One Regiment of mounted men, to be held in readiness, subject to the future order of the Executive.

I am, very respectfully
Your obt. Servt.
(Signed) A. C. Horton

Col: Jno. C. Hays
San Antonio
Texas

Executive Department
Austin December 6th 1846

Sir,

Your letter of the 12th ultimo, requesting to be appointed a Branch Pilot at the Bar of the Brazos de Santiago, together with the recommendations accompanying the same, has been received.

I will send you a commission as soon as you give the bond required by law, as directed in the [illegible] Section of an act entitled "an act [illegible] Branch Pilots" approved [illegible] April 1846 which reads as follows;
(Here follows the 2nd Section of the act alluded to)

Should there not be a board of Commissioners in the County, nor any Acting Chief Justice of the same, to approve your bond, as contemplated by the above law, you will please forward the same to me, and if the Security is deemed satisfactory by the Executive, the Commission will be forwarded to you without delay.

Respectfully, Yours,
(Signed) A. C. Horton

Henry Wilson
Point Isabel
Brazos de Santiago.

Executive Department
Austin November 9th 1846

Sir,

Your letter of the 24th April was only received by the last mail — The Governor of Louisiana did make a demand upon the Executive of this State for an individual, and I ordered him to be delivered up. In this case, however, I was mistaken as to the nature of the offence. I believed at the time, he had been guilty of stealing negroes from Louisiana, and bringing them to this State.

So far as your own situation is concerned, you need not have any fears for your personal security, as I would not feel warranted, under the circumstances, to comply with any demand for your apprehension.

Respectfully
Your obt. Servt,
(Signed) A. C. Horton

James D. Spurlock Esq.
Peach Creek P. O.
Wharton Co.

Executive Department
Austin Nov. 9th 1846

Dear Sir,

Enclosed herewith, I transmit to you by Mr. Shaw, certain deeds and powers of Attorney, made by C. M. Gahagan, John Noyes & Francisco Bessars, all of which, as you will perceive by reference thereto, have been regularly certified to as if the same were in all respects complete, by John S. Jones Esq, Chief Justice of Galveston County. Every one of them, however, appears to be defective and incomplete in some important particular.

The Commissioner of the Land Office, Col. Ward, to whom these papers were handed in the way of business, has requested me to send the same to you. He thinks that the Certificates appended by Mr. Jones, to these instruments, in their present unfinished condition, were not only unauthorized by law, but a violation of his official duty, and that if such acts are permitted on the part of the public officers, before whom the execution of such instruments must be proven or acknowledged, a door will be opened to the most outrageous frauds. Col. Ward desires me to request, therefore, in case you think Judge Jones amenable to the laws for the acts in question, that you will cause him to be prosecuted, or take such other steps as you may deem most advisable.

Col. Ward informs me that there are now many other papers in his office of a similar character, in the same condition, and that they will continue to come in, unless a stop is put to this loose and vicious system of doing business.

I have been this day informed by Mr. Shaw, that Alden A M. Jackson Esq is indebted to the State, as former Collector of the Customs at Galveston, for upwards of One Hundred and thirty thousand Dollars — The Comptroller's office, it seems, has no proof against him of the amount collected during his two last quarters, except a statement made out by his successor, Mr. Borden, and that all attempts to bring Mr. Jackson to a settlement have failed.

Under these circumstances, Mr. Shaw has applied to me to know what had best be done to secure the State. As both yourself and Mr. Jackson are now in Galveston, and as the evidences of the claim must be furnished from the books of the Custom House there, I have advised Mr. Shaw to proceed there at once, and consult with you upon the subject. You will please take such steps as you think best calculated to effect the object in view.

I have need for your official services here, almost daily, and must request you to hurry up as soon as possible.

Yours Very truly
(Signed) A C Horton

Hon: John W. Harris
Attorney General
Galveston, Texas

Executive Department
Austin Nov. 9th 1846

Sir,

In reply to your letter of this date, I think the best plan that can be pursued to secure a settlement of the claim against Alden A M. Jackson Esq as late Collector at Galveston, is for you to proceed immediately to that place, and after consulting with the Attorney General, Mr Harris, who is now there, to take such steps as he may advise. I understand that Mr Jackson, himself, is now at Galveston, and as the evidences of the debt must come from the books of the Custom House there, that is now the most proper place at which to urge a settlement.

Yours respectfully
(Signed) A C. Horton

James B. Shaw Esq — Comptroller

Executive Department
Austin Nov 12th 1846

Sir,

A few days ago, I received from George B. Innes Esq, a communication recommending your appointment as a Wreck master for Galveston County, with a view of giving your attention more particularly to that portion of the Coast lying East of Bolivar Point, in said County.

I will, with pleasure, forward you the Commission, so soon as I am informed by the Chief Justice that you have given the bond required by law, and that the same has been approved by him.

You will please request the Chief Justice to write to the Executive, as soon as the bond is given and approved.

I am, very respectfully
Your Obt Servt
George C. Bunner Esq,
Galveston
(Signed) A C Horton

C. Austin November 13th 1846

My dear Sir,

I hereby resign into your hands the Office of Governor of this State, which, under the Constitution, devolved upon me, during your absence in the late campaign against Mexico.

In retiring from the same, I beg leave to call your attention, most particularly, to the correspondence between myself and the Commanding Officers of the U.S. Army at San Antonio, as well as the President and Secretary of War, relative to the acceptance into the Service of the United States, of the five Companies of Volunteers called for by Col. Harney on the 26th June last for the protection of the frontier.

Should my wishes, as disclosed in that Correspondence, meet with your approbation and concurrence, I trust that you will endeavour to have them carried out.

Wishing you all happiness,
I have the honor to be
Very respectfully
Your Obt. Servt.
(Signed) A. C. Horton.

His Excellency
J. Pinckney Henderson

Correspondence between the Executive and Officers of the United States, relative to the five companies of Volunteers raised under the requisition of Col. Harney of the 26th June 1846.

Executive Department
Austin June 20th 1846

Sir,

Since writing to day, the enclosed petitions from citizens of Dallas and Collin Counties have been received. Should you feel authorized to make a requisition for a sufficient force to protect the citizens alluded to, you no doubt, will confer a great benefit upon that exposed frontier. With your answer, you will please return the petitions.

Very respectfully
Your obt. servt.
(Signed) A C Horton

To
Col: W. S. Harney
Comdg. at San Antonio

Please furnish the bearers with rations and much oblige
Your obt. Servt.
(Signed) A C Horton

San Antonio, Texas
June 26th 1846

Sir,

Your communication of the 20th inst. came to hand to day. A Company on the Trinity is no doubt of great importance, and I will receive it. I also think that companies at the following places equally important, to give perfect protection to this exposed frontier; viz, One on the Brazos river, one on Little river, one at or near Castroville, and one at or near this place. I take it for granted that the companies now here, and those ordered here, are destined for a different

I will thank you to designate the points, at which the three first named will be posted _ This will form a complete chain of posts from Fort Washita to Castroville, and if the Officers will do their duty, the settlements will be completely protected.

An Officer of the army will be ordered to muster the Trinity and Brazos Companies into service at the Falls of the Brazos, as soon after I receive information of their readiness, as possible. The Little river company will be mustered in by the same Officer, at the same time, at Maj. Bryant's on Little river. The Companies for this place and Castroville, can be raised in their own towns and neighbourhood, which arrangement I would much prefer, if you have no wish to the Contrary. I do not wish these Companies to exceed fifty privates and the usual number of Officers & non commissioned Officers. They must all furnish themselves; be well mounted, armed &c, and must communicate with those next them occasionally; and if necessary, at any time, they may be called together without delay, by the Field Officer comd.g them.

They should be informed that although assigned to particular stations, they are no less liable at any time to be called to any part of the country.

I have the honor to be, Sir,
Very respectfully
Your obt. servt.
(Signed) Wm S. Harney
Brt Col. Comd.g

His Excellency
A C. Horton
Lt. Gov.
State of Texas

Executive Department
San Antonio July 17th/46

Sir,

You are hereby authorized to raise a rangeing company of mounted men to consist of fifty privates, to be stationed at or near Castroville — Each man to furnish his own horse and equipments. Immediately on raising your company, you will report to the commanding Officer at this post, and to the Adjutant General at Austin, forwarding a Muster roll to each. You will be entitled to the following number of Officers, Commissioned — two Lieutenants — Noncommissioned, 4 Sergeants and 4 Corporals. Notwithstanding you are intended for the rangeing service, you are subject to be called into any other service, subject to the command of the commanding officer. Immediately after making your report to the Adjutant General at Austin, your commission will be forwarded. You will take care to make monthly reports to the commanding officer — On my arrival at Austin, I will forward you general instructions — With them, Col. Harney's letter to me, by which you will be governed. Your company will be mustered into the service of the U. S. for the term of six months unless sooner discharged.

Very respectfully
Your obt. Servt.
(Signed) A C Horton

To John H. Conner Esq

Executive Department
Austin July 2. 1846

Sir,

You are hereby appointed Captain of Volunteers, and authorized to raise a Company of Mounted men, to be well armed and equipped at their own expense, and Stationed at or near Bryant's fort on Little river, where they will be mustered into service by an Officer of the U.S. Army, for the term of six months, unless sooner discharged.

You will be governed in the organization of your command, by the accompanying letter of instructions from Col. W. S. Harney to this Department, and report to the Adjutant General at this place (where your commission will be forwarded) with a Muster Roll, and to Col. Harney at San Antonio.

When complete, the command will consist of five companies, to be commanded by a Major. Your first Lieutenant will act as Assistant Quarter Master and Commissary, who you will instruct to be careful to give lawful vouchers, approved by yourself, that there may be no difficulty in claimants settling their accounts at the proper Departments. It is desired by the Executive, with a full assurance that there will be no delay in bringing your Company into the field.

Very Respectfully
Your obt. Servt.
(Signed) A. C. Horton

To/
Capt. Shapley P. Ross

☞ Same to Capt John G. Grumbles
at Austin

Executive Department
Austin July 2. 1846

Sir,

You are hereby appointed Captain of Volunteers and authorized to raise a Company of Mounted men, to be well armed and equipped at their own expense, to be stationed at or near the three forks of the Trinity river — (however you can best judge of the point where you would be most useful) to serve for the term of six months, unless sooner discharged. You will be governed in the organization by the accompanying letter of instructions from Col. Harney, and as soon as practicable proceed to the falls of the Brazos, and report to the Adjutant General at this place, with a muster roll, and to Col. Harney

San Antonio, designating the Station you may choose, where you will be mustered into the service of the United States as soon as possible.

The command, when complete, will be that of a Major (say five companies.) Your first Lieutenant will act as Assistant Quarter Master and Commissary, who you will instruct to be careful to give good and sufficient receipts for all purchases, approved by yourself, that claimants may have no difficulty in arranging and settling their accounts.

It is desired by the Executive with full confidence, that there will be no delay in bringing your company into the field.

Your command will be required, if necessary, to act in concert at a different period, under the command of a U.S. Officer.

Very respectfully
Your obt. Servt.
(Signed) A C Horton

To/
Capt Thos. J. Smith

☞ Same to Capt Andrew Stapp
on frontier of Collin & Dallas Cos

(Extract)

San Antonio. Texas.
July 6th 1846

Sir,

I am very desirous to hear from you relative to my communication calling for the troops to be stationed in this section, as I wish to muster the two companies into service, that are to be posted at Castroville and this town, before I leave, as I shall take all now here with me.

I am, Sir, very respectfully
Your obt. Servt.
(Signed) Wm S. Harney
Brevet Colonel Comdg.

To/
His Excellency
Governor Horton
Austin - Texas

Executive Department.
Austin July 10th 1846

Sir,

Your communication of the 6th inst came to hand yesterday at 4 o'clock P.M. In reply to the latter portion of your communication calling for information as to the number of troops raised for the stations at San Antonio and Castroville. — Capt John Grumbles informed me this morning that he had thirty two men enrolled for the station at San Antonio, and had no doubt of being able to fill the requisition by Tuesday next. The other Captains appointed for the stations east of this place, I have not had the pleasure of hearing from — For reasons I hope to be able to state to you in person, I have not appointed any person to raise a company to be stationed at Castroville. I will make the appointment immediately after my arrival at San Antonio, for which place I expect to leave in two days.

I am, Sir, very respectfully
Your obt. Servt
(Signed) A C Horton

To/
Wm. S. Harney
Brevet Col. Comdg
at San Antonio

San Antonio, Texas
July 28 1846

His Excellency
Lt Gov. A C Horton
Sir,

Col. Harney having left for the Rio Grande on the 23rd Inst. I am placed by his order in charge of this frontier, and not having made me acquainted with the number and character of the troops called for upon your Excellency, I am constrained to ask for a copy of his requisition for the same, and any correspondence that may be essential to the mustering in and location of the troops required, that may be important.

Capt Cady's company under the orders of the Col: will leave this place tomorrow to join him, & unless a company called for at Castroville is filled immediately, there will not be a man here for the defence of this section of country, short of San Marcos. I was ill at the time of his departure, or immediate preparations for so doing, and he left in a hurry, so that I am wholly uninformed upon the subject.

Capt Merrill of the U. Army will leave the day after tomorrow for Austin & the Brazos &c. to muster in the Companies called for & I would be much pleased if Capt Grumble, could join at this place at the earliest moment. There is an immense amount of public stores thrown in here by the Government, and they will be wholly unprotected. You will confer a favor upon me also by designating the most suitable points at which the Companies required for the Trinity, Brazos &c. should be stationed & give me the information: as also that you would direct the Captains to make weekly written reports, without notes, of their expeditions, detailing the number of men, distance & direction of scouts & the results of them. These will be sent by express from one company to another from East to West & will be forwarded finally to me at this place — And should any thing extraordinary take place, it will be immediately reported.

I am sorry to trouble you with these matters, but I cannot give orders until the companies are in service, & after that time much delay will occur before proper instructions could reach the Captains, so distantly removed.

With the highest consideration, I am,
Yr. Excellency's Most Obt. Servt.
(Signed) M. I. Fauntleroy
Maj. 2d Drags. Comdg.

Executive Department
Austin July 31st 1846

Sir,

In compliance with the requests contained in your letter of the 28th inst, I have the honor herewith to transmit to you a copy of the requisition made upon me by Col. Harney for five companies of Mounted Rangers, for the protection of the frontier.

The position which I have directed these Companies to occupy, is as follows — One, at or near Castroville, commanded by Capt. John H. Conner; One at or near San Antonio, commanded by Capt. John J. Grumbles; One at or near Benjamin Bryant's, on Little river, commanded by Capt. Shapley P. Ross; One at or near Torrey's trading house on the Brazos, commanded by Capt. Thos. I. Smith, and One at or near the trading house at the West fork of the Trinity, commanded by Capt. Andrew Stapp.

Since the points of location, directed to be taken by these Companies, have been occupied, I have understood that the distance between the two commanded by Thos. I. Smith & Andrew Stapp, is much greater than I had supposed, being upwards of 100 miles. It will be impossible, therefore, for the communication to be kept up between them, as promptly and rapidly as is desirable, and I would suggest to you the importance of having an additional company stationed midway between the two, so as to make the line of posts complete. A company is already organized, and ready to take the position mentioned, under Capt. John H. Bryan, of Dallas county, and I would respectfully request that you would authorize me to call them into the service. Unless this is done, a large number of our frontier citizens,

[illegible]

residing between the points referred to, will be left in a defenceless condition.

I have already directed the Captains of the different Companies to communicate with each other, once in every two weeks, and oftener if necessary — I do not think, owing to the distance between them, and other causes, that a more frequent communication would be practicable, with any degree of regularity.

Besides the protection which would thereby be afforded to the frontier, another object in organizing these Companies, and stationing them at the points designated, was that a channel of communication might be kept open between this State and the theatre of War. I have already invited Genl. Taylor, Henderson & Col. Harney, to avail themselves of the means thus afforded, of forwarding whatever despatches or communications they may think proper, and trust that you will avail yourself of the same facility, whenever it may be deemed necessary.

I will, without delay, instruct the Captains of the different Companies, to make reports, every two weeks, or oftener if they can, containing the information which you desire, in regard to their scouts &c, and direct the same to be transmitted to you at San Antonio.

I am, very respectfully
Your obt. Servt.
(Signed) A. C. Horton

Maj. Th. J. Treuttlen
San Antonio

San Antonio Texas
July 29. 1846

To His Excellency
A. C. Horton Esq.
Lt. Governor of Texas

I had the honor to address a communication to you of date the 28th, in relation to the volunteers which I understood Col. Harney had called for, being myself wholly ignorant as to every particular under which the requisition was made.

Since mine of the 28th inst, I have received a communication from the A. Qr. M. of the Army of Occupation, advising the Commanding Officer of the frontier of a large force, at least 4000 men, being now en route for this place, the suggestion that this fact would tend to remove the necessity for a further call for troops, as the most of these troops will pass from East to West throughout the almost entire extent of Texas.

This communication I have forwarded to Col. Harney who left this place on the 23rd inst, under the full confidence that he will return. I have therefore, to say to your Excellency that the troops alluded to in my letter of the 28th Inst; will not be mustered in, & will not be required by me. A further order was recd. at the same time requiring all troops hereafter called for to be mustered in for no less a period than 12 months.

Yrs with the highest consideration
(signed) Th. J. Fauntleroy
Maj. 2d Drags. Comdg

Executive Department
Austin August 1st 1846

Sir,

I have just received your letter of the 29th ult, and am not a little surprized as well as pained, to learn that the Volunteers lately raised under the requisition made upon me by Col. Harney, will not be mustered into the service.

I had a letter prepared on yesterday to send by the mail to you, in answer to yours of the 28th ult, but the mail had closed before it could be deposited in the Office. It will be handed to you, however, by Capt Grumbles, the bearer of the present communication.

You will find enclosed therein, a copy of the requisition made upon me by Col. Harney, who, equally with myself, was convinced of the importance of raising these companies, and stationing them at suitable points, in order to afford adequate protection to our exposed frontier. In my estimation this necessity exists now as strongly as it then did.

I cannot perceive how a column, of even 4000 men, marching _en route_, from Robbins' ferry on the Trinity to San Antonio, and passing, for the greater part of the way, through a thickly settled portion of the State, can be of any protection to the exposed settlements lying on the line of the frontier. In relation to the order which you mention having received from Head Quarters, "requiring all troops hereafter called for, "to be mustered in for no less a period than 12 months", I have only to observe that the five companies now waiting to be mustered in, were called for by Col. Harney, on the 26th June last, and the order referred to cannot be supposed to embrace them.

It is my decided opinion, that if these volunteers are disbanded, it will be the signal for the Indians to commence depredations upon the frontier, and ~~that~~ these will lead to collisions, which may be productive of the most disastrous consequences. Besides this consideration which, I doubt not, will be properly estimated by you, I would respectfully represent to you the injury, not to say actual injustice, which will be done the Volunteers themselves, should they be, at this time, disbanded.

Most of them have had to encounter great expense, as well as trouble, in purchasing horses, having them shod, furnishing themselves with suitable arms &c. Dr. Robertson, whom I had appointed Assistant Surgeon of the troops, has already sent to La Grange, under authority given by Col. Harney, for a stock of medicines, which he expects to receive in a few days, and the cost of which will not be less perhaps than One Hundred Dollars — Capt Thos. I. Smiths' company, and that of Capt Stapp, will be at the Falls of the Brazos; the first on the 2nd, and the latter on the 8th of the present month, ready to be mustered into the service — To reach that point of rendezvous, the first will be compelled to march eighty, and the latter about One hundred and fifty miles.

I cannot but hope that when you take every thing connected with this subject, into consideration, that you will at once withdraw the order for disbanding these volunteers — They have responded promptly to the call made upon the country, and I trust that you may permit them to be mustered into the service.

Upon the hope and belief that you will think proper yet to receive them in the service of the Government, I have written to the Captains of the different companies, requesting them to hold their men ready to be mustered in, until I could hear further from you upon the subject, and communicate the result to them.

I am, very respectfully
Your obt. servt.
(Signed) A. C. Horton

Majr. W. J. Fauntleroy
Comdg. San Antonio

San Antonio, Texas.
July 26th /46

His Excellency
Gov. Horton,
Sir,

I now intend to leave this place on Wednesday next for Austin &c, with a view of mustering into the U.S. service the five additional companies called for by Col. Harney, and would like to have them in immediate readiness for muster on my arrival at the places of rendezvous, if possible — Please inform Capt Grumbles of my intended arrival.

Col. Harney left here on the 23rd inst, with a command of about 600 (all told) for the Rio Grande & Mexico.

I have the honor to be, Sir,
Your obt. Servt.
(Signed) H. W. Merrill
Capt 2nd Drags,
Must. Officer

San Antonio July 29th /46

His Excellency
Governor Horton
Sir,

I enclose herewith the muster roll of Capt Ross' Company sent to Col. Harney or myself as Mustering Officer, by Capt Ross, on the 26th July — I would suggest the propriety of duplicate certified and signed Rolls of these Companies being made out, and either lodged with the Executive, or the Captains of Companies, with a view to future payment by the U. States, in case it is allowed.

The enclosed roll is correct, and I think the Certificate of the Captain should be filled up and signed — Majr Fauntleroy has written you that these companies will not be mustered into service.

I have the honor to be, Sir,
Your obt servt
(Signed) H. W. Merrill
Capt 2nd Drags.

Executive Department
Austin, August 8th 1846

Sir,

From the enclosed correspondence, to which I beg leave to call your attention, you will perceive that on the 26th June last, a requisition was made upon me by Col. Harney, for five companies of mounted rangers, for the protection of the frontier of this State. The call was promptly responded to — The citizens of the frontier counties, though poor, and busily engaged in attending to their crops, turned out with alacrity, and cheerfully met all the trouble and expense, necessary to be encountered, in order to fill the requisition. The companies were, in all respects, complete, and only waiting for an Officer of the U.S. Army, to muster them into the service of the Government, (one having been already deputed for that purpose) when, to my astonishment, I received a letter from Major Fauntleroy, the Commanding Officer of this frontier, under date of July 29th, informing me that they would not be required.

I immediately addressed to him a letter, dated Augst 1st/46 (a copy of which you will find enclosed) expressing my surprise and regret at this information, and urging him, for reasons therein stated, that he would withdraw the order, and permit the volunteers to be mustered in. That letter was sent by express, and in reply to it, I have only received a verbal communication — Major Fauntleroy being so ill, that he could not write. The purport of the verbal communication is, that he is of opinion that he cannot, consistently with the orders lately received by him from Genl. Taylor, muster these companies into the service; which he very much regrets, but suggests the propriety of my writing to you upon the subject, and in the meantime of keeping them in active service; expreſsing, at the same time, his belief that when the Department was apprized of all the circumstances attending the requisition made by Col. Harney for these troops, that permission would yet be given to muster them into the service.

My own opinion, based upon that sense of liberality and justice, which has uniformily characterized all the acts of the Administration, whenever the rights of this State have been concerned, leads me to the same conclusion.

I will not speak to you of the injustice which, under the peculiar circumstances of this case, will be done to the Volunteers themselves, should they not be received into the service – the expense which they have occurred in buying good horses, furnishing themselves with arms, blankets, and every thing necessary for a full equipment. I place the neceſsity for these troops upon higher grounds – the protection and security of the frontier; and I deem it not improper to expreſs to you my opinion, as given to Maj. Fauntleroy, that if these Volunteers are disbanded, the Indians will, at once, commence their depredations upon the frontier, and collisions will ensue between them and the citizens, which will lead to the most disastrous results.

The Commanches, and other tribes, bordering upon this State, when they see that there is no armed force upon the frontier, to restrain their lawleſs propensities, will not be able to withstand the temptation thus afforded, of gratifying them. The citizens of the frontier will protect themselves, and retaliate whenever an an occasion offers, and in a very short time, a state of things will thus be brought about, which will greatly retard, if not entirely defeat the wish of the General Government, to settle the boundary line between us and those tribes, or make any treaty with them.

The State of Texas, just admitted into the Confederacy, having resigned to the General Government all her available sources of revenue, and being compelled to resort to direct taxation for the means of carrying the State government into operation, is not in a condition to incur the expense of keeping these Volunteers in the field – She relies confidently upon the Government of the United States for protection against the savages, and I feel assured that it will be afforded.

Under the belief, that you will not hesitate to instruct me to receive into the service the volunteers mentioned, I have written to the Captains of the different Companies, ordering them to keep the same in active service until they hear further from me, and to afford all the security in their power to the frontier. Should you think favorably of the application now made to you, I would be glad that you would authorize me to appoint some one, to muster the troops into the service, as all the regular Officers, now at San Antonio, may be withdrawn to some remote point, where their services could not be had. For the reasons mentioned in my letter of 31st July to Maj. Fauntleroy, I would also request that you would authorize me to call into service an additional company, to occupy a position mid way between the Stations assigned to Capt's Smith & Stapp — This would render the line of posts, in all respects, complete.

In conclusion I would remark to you, that the five companies above referred to, were intended to serve for the term of six months, and I believe the Government would consult economy by employing them for that time only — Should you, however, feel compelled, under the late act of Congreſs, to require them to enlist for twelve months, there will be no difficulty in having that requisition complied with.

I respectfully request an early reply.

Very respectfully
Your obt. servt.
(Signed) A C Horton

Hon: Wm. L. Marcy
Secy of War

Executive Department
Austin August 10th 1846

To/
His Excellency
James K. Polk
President of the U. States

Sir,

A requisition was made upon me on the 26th June last, by Col. Harney, then commanding Officer at San Antonio, for five companies of mounted rangers. This was done at my request, in order that the Western frontier of this State, which was altogether exposed, might be adequately protected.

These Companies were promptly raised, and in all respects complete and ready to be mustered into the service of the U. States, (an Officer having already been appointed for that purpose) when, to my surprise and mortification, I received, under date of July 29th, a letter from Major Fauntleroy at San Antonio, who had been appointed to the command of this frontier on the departure of Col. Harney for the Rio Grande, informing me that they would not be required.

In reply, I wrote to him, urging, for various reasons, that he would withdraw the order, and allow the troops to be received into the Service. This, however, he does not think he can do, consistently with the order lately received by him from Genl. Taylor. From the tenor of Major Fauntleroy's letter of the 29th ult, as also of a verbal communication received from him in reply to my last letter, he being so ill that he could not send me a written answer, I infer that the order alluded to, is simply a direction from Genl. Taylor, that no more Volunteers should be thereafter received into the Service of the United States for a less period than 12 months. The Volunteers in question were intended to serve for six months only, and this, I apprehend, is the sole difficulty, which prevents their reception by Major Fauntleroy. Genl. Taylor, in giving that order, doubtless, intended that it should apply only to volunteers destined to act in the campaign against Mexico, and not to such as might be called for to operate upon our Indian frontier. Had he been aware of the requisition made by Col. Harney for these companies, and the Service for which they were intended, I have no doubt but that he would have excepted them from the operation of that order.

By the last mail I wrote to the Secy of War, enclosing a copy of the Requisition made upon me by Col. Harney, and of the correspondence between Major Fauntleroy and myself upon this subject, and have urged him to authorize me to have the troops mustered into the service. To that communication, as well as accompanying correspondence, I beg leave to call your attention for a more full understanding of every thing in connection with this subject.

It had been arranged between Col. Harney and myself, that the five companies above mentioned, should occupy positions at suitable points, commencing on the Trinity river at the East, and extending Westward to the San Antonio river. In this way, a chain of posts would have been formed along the whole line of the frontier, and as they were directed to communicate frequently with each other, a channel of communication would thus have been regularly kept open between this State and the theatre of War, affording facilities for conveying dispatches, and any intelligence that might be deemed important.

These companies were promptly raised, though composed mostly of our frontier citizens, who are poor, and could not, at this season of the year, leave their homes without great inconvenience. They have encountered much trouble and expense, in furnishing themselves with good horses and arms, blankets, and every thing necessary to a full equipment, and now, just as they are, in all respects, properly equipped and fully organized, they are informed that their services are not required.

Under these circumstances, I need not tell you of the injury, not to say actual injustice, which will be done these men, if they are not received into the service. But besides this consideration, there is another of a higher nature, to which I will call your notice — And that is the protection of our extensive and exposed Western frontier. I profess to have some acquaintance with the character of the Indian tribes upon the borders of this State, and am convinced that the presence of these Companies is absolutely essential to keep them quiet, and prevent difficulties with the whites. Should they be disbanded, all restraint upon their lawless propensities will be removed — they will not be able to withstand the temptation thus afforded, of committing depredations upon the property of the settlers, who deeming themselves abandoned by the Government, will look to themselves for protection, and in a short time collisions will ensue, which may lead to the most deplorable results. The United States have just concluded a partial treaty with the most powerful of these Indian tribes, with the ultimate view of forming a lasting peace with them, and settling upon a boundary line between them and this State. There is now every prospect, that both of these desirable objects may be obtained. But should the troops in question be disbanded, and the state of things be brought about, which I have every reason to apprehend will be, the wishes of the Government, in this respect, will be greatly retarded, if not entirely defeated. The expense of employing these troops is trivial, when compared to that which the Government may incur, in repressing difficulties, which will grow out of their being disbanded, to say nothing of the loss of life and scenes of distress, which will result therefrom.

Texas, having just entered the confederacy, — having resigned to the General Government her principal sources of revenue, and being now dependent upon direct taxation for the means to carry her State Government into operation, is not in a condition to keep an armed force upon the frontier — She relies confidently, as she has the right to do, upon the Government of the U. States, for the protection of her citizens against the savages, and I have no doubt it will be promptly afforded.

For the reasons above given, as well as others that might be adduced, I respectfully request that your Excellency would instruct the Secretary of War (in case that Officer should be inclined to think unfavorably of the application) to authorize me to have these volunteers mustered into the service of the U. States. By so doing, I am satisfied that the peace and security of the extensive line of frontier of this State will not only be maintained, but the result will show that substantial economy as well as sound policy, will have been consulted by the Government.

From the spirit of liberality and justice which has thus far characterized all the acts of your administration, where the rights and interests of the people of Texas have been concerned, I am encouraged to hope that the present application will meet with your favorable consideration. Upon this belief, I have directed the Captains of the different Companies, to keep the same in active service, until further orders.

I will only remark, in conclusion, that if existing laws render it necessary, these companies will enlist for 12 months, though I think economy would be consulted by employing them for Six Months only.

I have the honor to be
Your Excellency's Most Obt. Servt.
(Signed) A. C. Horton

Executive Department
Austin, August 10th 1846

Gentlemen,

Under a requisition made upon me by Col. Harney on the 26th of June last, five Companies of Mounted rangers have recently been raised for the protection of the Western frontier of this State.

It was intended that they should occupy suitable positions on the line of the frontier, commencing on the Trinity, and extending Westward to the San Antonio river, forming thus a chain of posts, which would not only give protection to the exposed settlements, but a channel of communication would be thereby created between this State and the theatre of War, affording facilities for the conveyance of dispatches, and the transmission of any intelligence that might be deemed important.

These companies had all been raised — were fully equipped and organized, and only waiting for the U.S. Officer to muster them in (one having been appointed for that purpose) when I received a letter from Major Fauntleroy, now in command of this frontier, saying that they would not be required. It appears that he had just received a letter from Head Quarters, containing an order from Genl. Taylor, that no more Volunteers should be received into the Service of the U. States for a leſs period than 12 months — The companies in question had enlisted for Six Months only, and hence the difficulty.

By the last mail I addreſsed a letter to the Secy of War, enclosing a copy of the requisition made by Col. Harney, and of the correspondence between Major Fauntleroy and myself upon the subject, and urging upon him the necessity for having these troops mustered into service. By the same mail I write to Genl. Houston, requesting him to use his influence for the same object, and intended, at the same time, writing to each one of you, asking your cooperation, but had not time to do so, before the mail closed.

I deem the employment of these companies all important to the security and peace of the frontier, and beleive, if they are disbanded, that it will lead to most serious difficulties between the Indians and white settlers. Great injustice too, will be done to the volunteers themselves — They have been at much expense in buying good horses, having them shod, furnishing themselves with arms, blankets &c, to say nothing of the inconvenience to which they have been put, by leaving their homes and usual occupations at this season of the year.

I must therefore request your assistance in obtaining from the Secy of War the necessary authority to enable me to have them mustered into the service, and I refer you to my communication to him, and accompanying correspondence, for a more full understanding of all the matters connected with this subject. I have also written to the President by this mail, and trust that he will approve of the employment of the Volunteers, in the manner originally intended.

Should there be any difficulty in regard to the service of the troops for six months only, they will readily enlist for 12 months, if required to do so.

Very respectfully
Your obt. servt.
(Signed) A C Horton

To/
Hon. T J. Rusk. U S. Senate
and Messrs Pillsbury & Kaufman }
Hons. Reps }

San Antonio, Texas
August 10th 1846

To His Excellency
A C Horton
Lt. Governor of Texas

I had the honor to receive your communications of the 31st of July and 1st of August, whilst I was wholly unable from extreme indisposition to give more than a verbal reply through Capt Grumble, who bore them. I seize the first moment of returning strength to write on the subject of their contents, and am now only able to reply by giving to you the decision of the Genl. comd.g Army of Occupation, from whom I have received no communication since I wrote on the 28th & 29th ulto to you, on the occasion of Col. Harney's call for more volunteers —

In the last letter from the Genl. alluded to, he expressly recalls Col. Harney, and as expressly refers to his requisition for the five additional companies & peremptorily requires their discharge, if mustered in, or the non reception of them, if not.

An express was immediately forwarded to Col. Harney with the orders from the Genl., who will, without doubt, immediately return with the eight companies which he has with him of volunteers, & Genl. Wool U.S.A. is charged with the final disposition of the troops, upon his arrival here — The Genl. is fully expected to day.

With the highest consideration
I remain, your obt. servt.
(Signed) Th. J. Fauntleroy
Maj. 2d. Drags. Comdg.

War Department
July 22nd. 1846

Sir,

I have the honor to acknowledge the receipt of your Excellency's letter of the 23rd. ultimo, and in consideration of the circumstances mentioned by you, and in accordance with your suggestions, I have to request that you will view the requisition made on you for volunteer troops in my letter of the 16th of May, as answered by the call of Brevet Colonel Harney.

Altho' that officer was not authorized by this Department to make any call for volunteers or militia, still as his call has been answered by your Excellency, it is requested that the force thus furnished may be considered in lieu of that called for by requisition from this Department.

It will be necessary, however, that measures be taken to convert the term of service, for which these troops have engaged to serve, from three or six months to twelve months, or during the war, unless sooner discharged, agreeably to the terms of the act approved May 13, 1846 — Unless this change is made, there is no law by which they can be held to service.

Instructions to this effect will be communicated to Col. Harney.

Very respectfully
Your obt. servt.
(Signed) Wm. L. Marcy
Secretary of War

His Excellency
A. C. Horton
Governor pro tempore of Texas
Austin. Texas.

Executive Department
Austin August 20th 1846

Sir,

Since my letter to you of the 18th inst, and which, together with the enclosed, will be handed to you by Capt Grumbles, I have received a letter from the War Department, which I take the liberty of sending for your perusal.

By reference to the letter of Mr Marcy, dated May 16th 1846 (a copy of which is herewith enclosed) you will perceive that the Executive of this State was called upon to raise one Regiment of Cavalry or mounted men, and one Battalion (five companies) of Infantry or riflemen. In pursuance of that call a Regiment of mounted men was organized and mustered into the service of the U. States, and are now a portion of the command with Col. Harney. The remaining part of the requisition was not filled. But on the 26th June a requisition was made upon me by Col. Harney for five companies of mounted men, for the protection of our Indian frontier, which was subsequently countermanded by Major Fauntleroy, under orders from Genl. Taylor, just as the same had been fully organized. I feel a deep solicitude that the force last mentioned should be mustered into service, for in my opinion the safety and quiet of the frontier depend upon it. Soon after I was advised by Major Fauntleroy that they would not be received into the service of the U. States, I wrote both to the President and Secretary of War, asking permission to have them mustered in, and urging upon them the reasons why I believed this to be neceſsary. To those letters I have not yet had time to receive a reply, but my impression is that the enclosed letter from the Secy of War, under date of July 22nd, furnishes sufficient authority to have those Companies now mustered into the service, inasmuch as it will require these troops to complete the requisition originally made upon me by the Department.

There may be some doubt whether the Secretary, in authorizing the reception of the volunteers alluded to in his letter, did not refer altogether to the seven companies of mounted men now with Col. Harney — If so, the authority granted in that communication has already been anticipated — If any effect, therefore, is to be given at all to the letter of the Secy of War, it must be in receiving into the service the five companies above spoken of. These companies are now fully organized and ready to be mustered in. The extension of their term of service from six to twelve months, will be readily acquiesced in.

On reading the enclosed correspondence, I trust that you will come to the conclusion that the letter of the Secretary of War, referred to, authorizes the reception of these volunteers into the service. If so, you will please take immediate measures to have them mustered in.

Should it be inconvenient for you to send an officer to the different points of rendezvous, in order to muster in these Companies, this duty can be performed by the Adjt. Genl. of this State, if you think proper to authorize me to employ him for that purpose.

Very respectfully
Your obt. servt.
(Signed) A C. Horton

To/
Genl. Wool
Comdg. San Antonio

Head Quarters, San Antonio de Bexar, Texas.
August 24 th 1846

Sir,

I have the honor to acknowledge the receipt of your Excellency's letters of the 18th and 20th of this month, in relation to the reception into the service of the United States, of five companies of Texas Volunteers, which appear to have been retained by your Excellency, contrary to the orders of Major General Taylor that they be discharged, with the view of obtaining directions from the Secretary of War, for mustering them into service.

I have no authority to receive into service any troops not raised in pursuance of requisition from the War Department; and am now in possession of orders to discharge all troops not mustered to serve twelve months. These orders will be carried into effect as soon as practicable; after which it may be expedient to receive as many men for the legal period of service (twelve months) as may be necessary for the defence of this frontier. Should this exigency arise, the fact will be duly communicated to your Excellency, and preference would be given to the companies which have already consented to the twelve months service.

I have the honor to be
Your Excellency's Obt. Servt.
(Signed) John E. Wool
Brig. Genl.
U. S. A.

To/
His Excellency
A C Horton
Actg. Gov. of Texas
Austin

Head Quarters, San Antonio
October 3rd 1846

Sir,

A letter from you, as Private Secretary, dated "Executive Department Austin, Septr. 30th 1846", introducing G. W. Adams as a member of Capt. H. J. Smith's company, is just received.

Genl. Wool, just before he left here for Mexico, designated several companies (Grumbles', McCulloch's, and Ross's) to be mustered into the service of the United States, to the North and East of this: Grumbles' has been mustered, and the others are to be ready, if at all, about the middle of the month. No order was left for the reception of Smith's, and indeed, I am informed that Major Fauntleroy notified the Executive of the State, sometime in August, that Smith's company would not be required, and I have no authority for ordering its muster.

With great respect, I am, Sir,
Your obt. servt.
(Signed) S. Churchill
Ins. Gen. Comdg.

To Charles Mason Esqr.
Pri. Secy. Exec. Dept.
Austin, Texas.

Executive Department
Austin October 8th 1846

Sir,

I returned to this place on yesterday, after an absence of some weeks, and avail myself of the earliest opportunity, to address you upon the subject of mustering into the service of the United States, the two Companies of mounted men, under the command of Capts. Slapp and Smith.

These companies form a part of the force embraced in the requisition made on the Executive of this State by Col Harney, on the 26th June last, for the security of our Indian frontier, and no portion of that frontier is so much exposed as that which they were designed to protect, extending from the Brazos river, Eastward to Fort Washitta.

I beg leave to call your attention to the enclosed communication, dated the 5th ultimo, lately received by me from the Adjutant General. As you will perceive, he states therein, that Lt. Col. Fauntleroy had been written to, and was directed to carry out the instructions given to Col. Harney, in regard to the troops embraced in the requisition of the latter. In case the letter of instructions referred to, should have miscarried, or not been received, I trust the enclosed communication to myself, on the subject, will furnish you with sufficient authority to

have

the two companies, above mentioned, mustered into the service without delay. The necessity for this measure is urgent — I have lately received information from Capt Stapp, that the Indians had been stealing horses, and committing other depredations, in his vicinity, and I have no hesitation in declaring my opinion, based upon no slight experience of, and acquaintance with the character of the neighbouring Indian tribes, as well as that of the frontier settlers, that collisions will soon ensue between them, and the peace of the country be endangered, unless these companies are placed in the positions they were intended to occupy. ---

The settlers, throughout the region of country alluded to, are entirely exposed — they have long waited patiently, under the expectation that the companies of Capts Stapp & Smith, would be received into the service, and are becoming exceedingly restless under their continued disappointment, and the aggressions of the Indians.

As the line of frontier to be protected by those two companies, is so extensive, it is my intention to divide them into squads of 20 men each, and station them at the most suitable points, to enable them to afford perfect security to the country. You shall be fully advised, however, as to the ultimate arrangement I may make of them, and in relation to this subject, I would be glad to receive any suggestions or advice, which you may think proper to give me.

I send you the original requisition made on me by Col. Harney, to which the Adjt Genl alludes, in his letter of the 5th ult. — Also, a copy of a letter subsequently received by me from the Secy of War, in which he consents that the troops comprized in said requisition, may be mustered in, provided their term of service be extended to twelve months, or during the War.

You will please send back by Capt Grumbles, the letters of the Adjutant General and Col. Harney, herewith enclosed.

Hoping to hear from you by the bearer of this communication, that an Officer will be dispatched over here, to muster in the remaining two Companies, at an early day, I have the honor to remain

Very respectfully
Your obt Servt
(Signed) A. C. Horton

S. Churchill
Ins. Genl. comdg
San Antonio

War Department
Adjutant General's Office
Washington, September 5. 1846

His Excellency
A. C. Horton
Govr. pro. tem. of Texas,
Sir:

Your communication of the 8th ultimo to the Secretary of War, transmitting copies of Col: Harney's requisition of June 26, for five companies of Texas mounted Volunteers, and subsequent correspondence between your Excellency and Major (now Lieut. Col.) Fauntleroy, the Officer who succeeded the Colonel in command at San Antonio, and who declined to receive these troops; also, your communication of the 10th of August, addressed to the President, remonstrating against this determination of Lt. Col. Fauntleroy, and requesting that instructions may be given to have these companies mustered into the service of the United States, — have been received and referred to this Office.

It being considered that this subject was definitively and satisfactorily disposed of in the letter of the Secretary of War to your Excellency of July 22d, and the instructions from this Office to Colonel Harney of the 24th of that month, which you have doubtless received by this time, it is only necessary to add that Lt. Col. Fauntleroy has been this day written to, to carry out the instructions to Colonel Harney, should he not already have done so, as is most probable.

I have the honor to be
Very respectfully
Your Excellency's obt. servt.
(signed) R. Jones
Adjt. Genl.

Head Quarters
San Antonio de Bexar
October 11. 1846

Sir,

I have the honor to acknowledge Your Excellency's letter of the 8th inst, delivered this evening by Capt Grumbles, on the subject of reception into the United States service, of Capts Stapp's and Smith's companies of Volunteers.

I have forwarded the communication, with the copy of those from the Secretary of War of July 22d, and the Adjutant Genl. of Sept 5. to Genl. Wool, and requested him to cause instructions to be given in the matter to Capt Howe, not feeling myself authorized to order the muster, unless the letter from the Adjt. Genl. to Lt. Col. Fauntleroy of Sept 5 (mentioned in Genl. Jones' letter to you of that date) shall be received, in which case Capt. H. will be instructed to muster the Companies. He will leave here tomorrow to muster into service the Companies of Captains Ross and McCulloch.

With great respect, I am Sir
Your most obt. servt.
(Signed) S. Churchill
Ins. Gen. Comdg.

To His Exc. A. C. Horton
Actg. Gov. of Texas
Austin. Tex.

Executive Department
Austin Oct. 20th 1846

Sir,

I have the honor to acknowledge the receipt of your letter of the 5th ultimo, relative to receiving into the service of the U. States, the five Companies of Texas Mounted Volunteers, raised under the requisition made by Col. Harney on the Executive of this State, on the 26th of June last.

From the tenor of your letter, I inferred there would be no further difficulty upon this subject — You add, in conclusion, that Lt. Col. Fauntleroy had been that day written to, to carry out the instructions given to Colonel Harney upon this subject on the 24th July last.

Before the reception of your letter, it is proper to state that two out of the five companies had already been received into the service, by the orders of Genl. Wool. Being very anxious that the remaining three should be received also, and fearing that the letter of instructions referred to, might not have been received, I immediately dispatched your letter to me, to Ins. Genl. Churchill, then commanding at San Antonio, not doubting, that when he had read it, he would at once have the said Companies mustered in — But in this, I have been disappointed — Genl. Churchill does not think your letter to me authorizes him, to have the two companies of Capts. Stapp & Smith mustered in, but at the same time he authorizes that of Capt. Ross (all being equally included in, and raised under Col. Harney's requisition) to be received.

I have this day written to the Secy of War, enclosing a copy of Genl. Churchill's letter, and trust that I will get, in reply, such a communication as will obviate any further difficulty upon this subject.

The mail between Galveston and San Antonio is much more uncertain and irregular, than that between the former and this place, and I have only to request that whatever communication you may send, upon this subject, to the commanding Officer at

San Antonio, may be enclosed to my care at this place. When received, it shall be promptly sent by expreſs to San Antonio.

In conclusion, I respectfully refer you to my letter to the Secy of War.

Respectfully, Your obt. Servt.
(Signed) A. C. Horton

R. Jones
Adjt. Genl.

Executive Department
Austin October 20th 1846

Sir,

A short time since, I received a letter from Adjt. Genl. Jones, dated the 5th ultimo, from which I inferred that the mounted volunteers, which had been raised for the protection of the Indian frontier of this State, under the requisition of Col. Harney of the 26th June last (embracing five Companies) would be received into the service of the U. States, and that instructions to that effect had been sent to Lt. Col. Fauntleroy, then commanding at San-Antonio. It is proper I should here state that two of those Companies had been previously mustered in by the orders of Brig. Genl. Wool.

Fearing that the letter of instructions referred to, might have miscarried, or not been received, I immediately dispatched the above mentioned letter of the Adjt. Genl., to Ins. Genl. Churchill, commanding at San Antonio, with the confident hope and expectation that he would feel himself entirely authorized, upon reading it, to have the remaining three companies at once mustered into the service. In this, however, I regret to say, I have been disappointed.

I herewith enclose to you a copy of Genl. Churchill's letter to me, in reply, from which, as you will perceive, he declines having the Companies of Capts Stapp & Smith mustered in, and at the same time authorizes those of Capts Roſs & McCulloch to be received. The last named Company forms no part of the force raised under Col. Harney's requisition — That of Capt Roſs does, as do also those of Capts Stapp & Smith, and why the former should be mustered in to the exclusion of the latter, I cannot conceive, unleſs it is to suit the convenience of the mustering in Officer, who would be compelled to take a long and fatiguing ride, to meet the two last mentioned companies.

Two distinct requisitions were made by Col. Harney upon the Executive of this State for troops — first, upon Gov. Henderson for Seven Companies, all of whom were received into service, and Col. Harney carried with him in his late trip to the Rio Grande five of them. All of these have since been disbanded and have returned home. The last requisition (for five companies) was made upon me, by my advice and suggestion, for the security of the frontier.

After much trouble and long delay, three out of those five companies, have at length been mustered in – Those of Capt's Stapp & Smith are still excluded, without, as it seems to me, the shadow of reason.

These two companies were intended for the protection of the extensive and exposed line of frontier stretching from the Brazos to the Red river, and it is all important for the peace of the country, that they should be employed by the Government. They were fully organized and ready to be mustered into service – One, on the 24th July, the other on the 2nd August last – Since then, up to the present time, relying upon the justice of the Government, I have taken upon myself the responsibility of keeping them in active service, and have endeavoured from time to time, to calm their discontent, by assuring them that their reception into the service of the United States, could not be much longer delayed.

Their patience, as well as my own, is now well nigh exhausted, and I will not conceal from you the mortification I have felt at being, time after time, prevented from carrying out the assurances I have given them, by the continued refusal on the part of the officers commanding at San Antonio, to have them mustered in. I am tired of corresponding with them upon this subject, and combatting every frivolous objection made to the reception of these companies. It seems, indeed, useless that I should do so, since the letter of Adjt. Genl. Jones, himself, to me on this subject, does not seem sufficient to authorize Genl. Churchill to act in the matter.

Though I regret the necessity of troubling you again, no other resource seems left to me. To avoid all further difficulty, then, and as an act of justice to those two companies, as well as to myself, I appeal to you for permission to have them received into the service, without delay. If you will authorize me to employ the Adjutant General of this State, for that purpose, they shall be mustered in without troubling any officer of the U.S. Army, and I request that such authority may be given to me.

As the five companies embraced in the requisition, were intended, more particularly, for the protection of the frontier, I earnestly request that they may be placed under my control, and made subject to my orders, so long as they are employed in this service. Should it become necessary, at any time, for them to act beyond the limits of the State, or engage in any other service, they will, of course, be turned over to the proper officer of the Army.

I must also request that these companies be supplied, by a requisition on the proper officer at San Antonio, with tents and cooking utensils – The climate in this State, is often very bleak and inclement in the winter season, and as cold weather is now approaching, it is absolutely necessary for the health and comfort of the men, as well as the preservation of their arms &c, that they should be provided with camp equipage.

As the mail between Galveston and San Antonio is very irregular and uncertain, I will request, in conclusion, that whatever communication you may send to the Officer commanding at the latter place, in relation to the subject of this letter, may be enclosed to me at this place. It shall be promptly dispatched by an express to San Antonio.

I am, very respectfully
Your Obt. Servt.
(Signed) A C Horton

Hon: Wm. L. Marcy
Secy of War

Executive Department
Austin Oct. 21st 1846

Sir,

I feel it to be my duty to address you upon the subject of our relations with the Indian tribes upon the borders of this State.

Since the conclusion of the treaty made with Messrs. Butler & Lewis, a few months ago, the Indians have shown every disposition, until recently, to observe its stipulations, and maintain the most friendly relations with their white neighbours. They now, however, begin to suspect that one provision, at least, of that treaty (and to them the most important of any) will not be fulfilled, and, consequently, are becoming very distrustful of the good faith of the United States — I allude to the stipulation by which they were led to expect that a considerable amount of presents would be furnished to them this fall, prior to the holding of a more definite and extensive treaty with them on the part of the Government. Recent depredations have been committed by them on the frontier, and I am satisfied that these have been, in a great degree, owing to the opinion prevailing among them that the Government did not intend to furnish them with the promised presents.

Some of the Indians who were on at Washington last summer, have been to see me, within a few days past, and expressed their fears that trouble would ensue, if the promises made by the Commissioners, relative to these presents, were not fulfilled — Some of those Indians, I know personally, and have every confidence in their statement.

Any one conversant with Indian character, will know how important it is, in order to preserve their friendship, that every promise made to them, should be observed with the most scrupulous good faith, and I trust, if it lies in your Excellency's power, that immediate steps will be taken to satisfy their expectations in this matter.

A few thousand dollars, in presents, judiciously distributed among them, would go very far to inspire them with confidence in the Government, and conciliate their friendship. It would be one of the most effective means that could be employed, of averting difficulties, and restraining their evil passions, until such time as the Government can make arrangements to carry out its objects relative to these tribes, and may in the end, save a vast expense and trouble to the U. States.

I have been informed that many persons on the frontier, have been lately engaged in selling illicit articles to the Indians, such as ammunition, arms &c, but above all, ardent spirits. At one time alone, I have been told, four barrels of whiskey have been introduced among them, by a single individual. In order to obtain the above articles, especially whiskey, the Indians sell their horses and peltries at a great sacrifice, and doubtless are much imposed upon and cheated — The consequence is, that they are induced to steal other horses from the white settlers, and commit depredations, which must soon bring them into collision with each other.

Another cause well calculated to produce difficulties with the Indians (and which will assuredly have that effect unless soon removed) is the excursions made through what they claim as their own soil, by speculators looking for land — surveying parties &c. The Indians have always been accustomed to look with extreme jealousy at any step, indicative of a design on the part of the whites, to assume an ownership over their hunting grounds, and the chain and compass have ever been regarded among them, as the emblems of fraud and usurpation.

Under existing circumstances, the Executive of this State has no power or authority to avert the evils herein enumerated. The management and control of the Indians belong exclusively to the General Government, and however great the interest I feel in this subject, I can only make a representation of the facts to your Excellency, and advise such measures as I deem to be necessary.

Allow me then, to recommend that an Agent be appointed, as soon as possible, by the Government, to see that the laws of the United States are enforced upon the frontier, and to discharge the usual duties imposed upon such officers.

I earnestly request, also, that the five companies of mounted volunteers raised under the requisition of W. S. Harney, of the 3d. June last, for the protection of the frontier, may be made subject to my orders. The officers of the regular Army, strangers to the country and its citizens, as well as to the Indians themselves, cannot employ those troops so advantageously & effectively, (so far as their operations in regard to the Indians are concerned) as the Executive of the State. In connection with this I would also recommend and request that a Company of Delaware, or other friendly Indians, in whom confidence can be placed, may be organized and placed under the control of the Executive — They would render the most valuable assistance, by having it in their power to obtain and give the earliest information of any suspicious movement, made by the Indians on the frontier.

If the above measures are adopted, I have every confidence of being able to preserve the peace and quiet of the frontier, and removing all difficulties, which may otherwise prevent the Government from making a permanent treaty with the Indians, involving the settlement of the boundary line, and other important matters.

I beg leave, in conclusion, to recommend to your Excellency Robert S. Neighbours Esqr. for the Office of Indian Agent. He has great experience in the duties of this office, an intimate personal acquaintance with the various tribes, and possesses their confidence in every respect. I have no hesitation in saying that a more suitable person could not be found.

I am, very respectfully
Your Excellency's Obt. Servt.
(Signed) A. C. Horton

His Excelly
James K. Polk
President &c

Executive Department
Austin November 10th 1846

Sir,

I regret being under the necessity of troubling you with another communication relative to any matter connected with the service of the volunteer ranging companies on this frontier, but, in the present instance, an application made to the Commanding officer at San Antonio, would be of no avail. Indeed, I do not suppose he would be authorized to take any action in the matter, which I am about to bring to your consideration.

Upon a requisition of Genl. Taylor, Col. Hays had two companies of Mounted Texas Volunteers mustered into the service of the United States — [illegible] the 25th [illegible]

[illegible]

command of Capt Samuel Highsmith, and the other on or about the 10th June, under the command of Capt Henry E. McCulloch.

Both of these Companies contained the number of officers and men required at that time by the instructions of Genl Taylor, to wit: Sixty three, rank & file, each — They were accordingly received into the service, as full companies, for 12 months, unless sooner discharged.

Instructions were subsequently received from your Department, requiring the number of privates, in all volunteer Companies, to consist of at least sixty four. The two Companies in question, after having served for 5 or 6 months, have been disbanded, and Capt Howe, the Officer who mustered them out (acting, I presume, under the instructions of Genl Brooke, or Ins. Genl Churchill) declined to recognize them as full Companies, but regarded each Captain as having only a Lieutenant's command. The injustice of this proceeding is apparent. Each Officer has been discharged with his rank a grade lower, than what he held when received and mustered into service, and consequently his pay will be proportionately reduced. After the instructions from your Department referred to, relative to the number of privates &c. to be contained in each Company, had been received, if the Commanding Officer on this frontier had ordered Capts Highsmith and McCulloch, to increase their Companies to the number required by such instructions, to perfect their rank, I presume they would not have hesitated to comply. But no such directions were at any time given to them, nor had they any notice that the above mentioned instructions would be applicable to their Companies, until they were about being mustered out.

In order that justice may be done to the officers of these two companies, I cannot believe that any thing more is necessary than to bring to your notice, as I have done, the facts connected with their reception into, and discharge from the service. The Companies having been full companies, and having been accepted as such, I trust you will ~~instruct~~ the pay master at San Antonio to settle with Capts Highsmith & McCulloch, and their other officers, according to the rank which they respectively held at the time they were received into the service.

I am, very respectfully,
Your obt servant
(Signed) [illegible]

Hon. Geo. W. Crawford
Secretary of War
Washington City